



Newton City Council Agenda

April 17, 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

Proclamation

2. April is Fair Housing Month
3. Arbor Day Proclamation

Presentation

4. Iowa District Optimists - Rich May
5. Newton Main Street Report on National Main Street Conference - Erin Yeager, Executive Director

Citizen Participation

6. 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

7. April 3, 2023 Regular City Council Meeting Minutes
8. Approve Liquor Licenses for the following: Newton/Des Moines East KOA, 1601 E 36th St S, Class B Retail Alcohol License; Gezellig Brewing Company, LLC, 403 West 4th Street North, Class C Retail Alcohol License; Casey's General Store #2417- LE0002740, 1200 W 18th St S, Renewal and Ownership update, Class E Retail Alcohol License; Hy-Vee Fast and Fresh- LE0003889, 1421 1st Avenue East, Class E Retail Alcohol License; Walgreens #05942- LE0002171, 1204 1st Ave East, Class E Retail Alcohol License
9. Resolution approving Change Order No. 1 for the Newton Airport Taxiway Relocation Project
10. Resolution authorizing the EPA property acquisition form to be completed
11. Approve Bills

Ordinance

12. Third 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.
13. First Consideration of an Ordinance Amending the City of Newton Code of Ordinances Chapter 32, Section 32.003 Membership to expand eligibility for persons to serve on the Historic Preservation Commission to include owners of historic properties in the City of Newton
 - At their meeting on April 3, 2023 the Historic Preservation Commission approved a motion recommending City Council expand eligibility for commissioner membership to include persons who own a historic building inside the Newton city limits.

Resolution

14. Resolution approving a Newton Hotel-Motel Tourism Grant Program Application for \$2500 from Fierce Faith Music Festival
 - City Council established the Newton Hotel-Motel Tourism Grant to provide an avenue to support endeavors which align with the comprehensive plan objective of establishing Newton as a compelling destination. This spring, a soft roll-out of the program was initiated, with Fierce Faith Music Festival applying for funds.
 - The resolution provides for a \$2,500 grant to the Fierce Faith event.
 - The next application round deadline is October 1, 2023.
15. Resolution approving an amendment to the adopted Low-Moderate Income Set Aside Funds policy
 - A concerned citizen spoke to the Council regarding the danger that dead trees pose to whole neighborhoods and requested the Council consider establishing an assistance program to encourage the removal of dead trees on residential properties.
 - The LMI Set Aside funds from the housing TIF program would be an appropriate source to assist low-mod income households with

dead tree removal. This resolution amends the LMI Set Aside Funds policy accordingly.

16. Resolution authorizing increase in pay for Fire Captain from Range 8 to Range 9 in the Fire Department
- The Fire Captain pay differential from line staff has narrowed to a point where the position does not make financial sense.
 - A proposal to increase the Fire Captain pay from Range 8 to Range 9 was developed.
 - This proposal was presented to the Employee Relations Committee and has been forwarded to City Council for passage of Resolution.

Staff Report

17. New Library and Catalog System - Newton Public Library Director Nicole Terry

Mayor/Council Comments

18. 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.

Find us online: www.newtongov.org

APRIL FAIR HOUSING MONTH

PROCLAMATION

WHEREAS The Fair Housing Act, enacted on April 11, 1968, enshrined into federal law the goal of eliminating racial segregation and ending housing discrimination in the United States; and

WHEREAS The Fair Housing Act prohibits discrimination in housing based on race, color, religion, sex, familial status, national origin, and disability, and commits recipients of federal funding to affirmatively further fair housing in their communities; and

WHEREAS The City of Newton is committed to the mission and intent of Congress to provide fair and equal housing opportunities for all; and

WHEREAS Our social fabric, the economy, health, and environment are strengthened in diverse, inclusive communities; and

WHEREAS More than fifty years after the passage of the Fair Housing Act, discrimination persists, and many communities remain segregated; and

WHEREAS Acts of housing discrimination and barriers to equal housing opportunity are repugnant to a common sense of decency and fairness.

NOW THEREFORE BE IT RESOLVED that I, Michael L. Hansen, Mayor of the City of Newton, Iowa, do hereby declare the month of April, 2023 as **Fair Housing Month** in the City of Newton. Newton is an inclusive community committed to fair housing, and to encouraging appropriate activities by private and public entities to provide and advocate for equal housing opportunities for all residents and prospective residents of the City of Newton, Iowa.

Michael L. Hansen, Mayor





ARBOR DAY PROCLAMATION

WHEREAS, in 1872, the Nebraska Board of Agriculture established a special day to be set aside for the planting of trees, and

WHEREAS, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and Arbor Day is now observed throughout the nation and the world, and

WHEREAS, trees reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife, and

WHEREAS, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products, and

WHEREAS, trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community, and

WHEREAS, trees, wherever they are planted, are a source of joy and spiritual renewal, and

WHEREAS, Newton has been recognized as a Tree City USA by The National Arbor Day Foundation and desires to continue its tree-planting practices.

NOW, THEREFORE, I, Michael L. Hansen, Mayor of the City of Newton, Iowa do hereby proclaim Friday, April 28th as

ARBOR DAY

In the City of Newton, and urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands, and

FURTHER, I urge all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.

DATED this 17th day of April, 2023

Michael L. Hansen, Mayor



NEWTON CITY COUNCIL MEETING MINUTES
APRIL 3, 2023, 6:00 PM

Pledge

Pledge of Allegiance

Mayor Hansen asked everyone present to join in saying the Pledge of Allegiance.

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. Absent: Wade.

Proclamation

2. Proclaiming April as "Sexual Assault Awareness Month"

They Mayor proclaimed April as Sexual Assault Awareness Month.

Presentation

3. Financial Update - Michael Maloney from DA Davidson

Michael Maloney presented a financial update to the council. He confirmed that the assessed valuation for the city is over one billion dollars. The G.O. debt limit is \$54,640,410. After the June payment of debt, the City will have \$30,972,000 (57%) of outstanding G.O. debt. The City has been managing that in a very fiscally responsible way. Historically, the City has targeted a debt service levy rate of \$2.30/1,000 of the taxable valuation range. Michael reviewed the difference in bonding options.

Citizen Participation

4. During citizen participation Michael Merritt, 308 E St, Grinnell, a previous citizen of Newton, spoke regarding a Police Department situation.

Consent Agenda

Moved by Hallam, seconded by Dalton to approve consent agenda items 5-24. AYES: Five. NAYS: None. Consent Agenda was adopted.

5. March 20, 2023 Regular City Council Meeting Minutes

6. March 27, 2023 Special City Council Retreat Minutes

7. Approve Liquor Licenses for the following: Americinn, 4401 South 22nd Avenue East, Ownership Change, Special Class C Retail Alcohol License, pending staff approval; Nostalgia Wine & Spirits-LC0048028, 109 N 2nd Ave E, Special Outdoor Event including N 2nd Ave E from 1st St N to E 2nd St N on April 22, 2023; Los Amigos Mexican Bar & Grill-LC0048081, 2002 1st Ave E, Class C Retail Alcohol License, Outdoor Service; West End, 1325 1 Ave W, Class B Retail Alcohol License; World Liquor & Tobacco + Vapors, 702 1st Avenue East, Class E Retail Alcohol License

8. Approve 2022-2023 Cigarette/Tobacco/Nicotine/Vapor License for: Newton Convenience LLC, 702 1st Ave E

9. Resolution levying assessments for costs of nuisance abatement and providing for the payment thereof (Schedule 23-03)
Resolution 2023-069 adopted.

10. Resolution approving the purchase of a zero-turn mower for Union Cemetery
Resolution 2023-070 adopted.

11. Resolution approving an agreement with Driving Cap Entertainment for a UV glow foam party at Newton Fest 2023
Resolution 2023-071 adopted.

12. Resolution approving a spring/summer strategic video marketing campaign to attract potential home buyers to Newton
Resolution 2023-072 adopted.

13. Resolution rescinding the original contract, and awarding a new contract for the 2022 City of Newton Tree Removal Project No. 1
Resolution 2023-073 adopted.

14. Resolution approving reduced prices on Maytag Pool single-day admissions for June 10, 2023
Resolution 2023-074 adopted.

15. Resolution Approving Payment to S&P Global Ratings for Services Related to the 2023 Bonding
Resolution 2023-075 adopted.

16. Resolution Approving a Contract with Gilbert Lawn and Snow Removal LLC for 2023 Lawn Care at the City Hall Facility
Resolution 2023-076 adopted.

17. Resolution authorizing the purchase of four (4) fire hydrants
Resolution 2023-077 adopted.
18. Resolution approving a proposal from Terracon to plug existing monitoring wells at the former manufactured gas plant site
Resolution 2023-078 adopted.
19. Resolution approving a Telecommunications Licensing Agreement with Unite Private Networks – UPN 5705
Resolution 2023-079 adopted.
20. Resolution approving a Telecommunications Licensing Agreement with Unite Private Networks – UPN 5725
Resolution 2023-080 adopted.
21. Resolution Approving a Property Tax Rebate for the Lion Development Group, LLC Property Located Within the North Central Urban Renewal Area
Resolution 2023-081 adopted.
22. Resolution approving the waiving of rental fees of the Pool Pavilion for the Newton Schools' Summer Meals Program
Resolution 2023-082 adopted.
23. Resolution approving First Amendment to Agreement for Private Development with Christensen Development 1, LLC and Jasper County, Iowa
Resolution 2023-083 adopted.

24. Approve Bills

Public Hearing

25. Public Hearing on a resolution adopting the FY24 through FY28 Capital Improvement Plan (CIP)
Mayor Hansen stated that this is the time and place for a Public Hearing on the above Resolution. There were no written comments. Moved by Trotter, seconded by George to close the public hearing. AYES: Five. NAYS: None. The public hearing was closed.
26. Resolution adopting the FY24 through FY28 Capital Improvement Plan (CIP)
Moved by Dalton, seconded by Hallam to adopt the Resolution. AYES: Five. NAYS: None. Resolution 2023-084 adopted.
27. Public Hearing on a Resolution approving the 2023-2024 Operating Budget for the City of Newton
Mayor Hansen stated that this is the time and place for a Public Hearing on the above Resolution. There were no written comments. Moved by Trotter, seconded by George to close the public hearing. AYES: Five. NAYS: None. The public hearing was closed.
28. Resolution approving the 2023-2024 Operating Budget for the City of Newton
Moved by Trotter, seconded by Dalton to adopt the Resolution. AYES: Five. NAYS: None. Resolution 2023-085 adopted.

Ordinance

29. Second Consideration of an Ordinance amending The Code Of Ordinances, City Of Newton, Iowa, 2016, Title III, Chapter 30, Section 30.002, "Powers And Duties"
Moved by Hallam, seconded by Trotter to approve the second consideration of the Ordinance. AYES: Four. NAYS: Dalton. Second Consideration of the Ordinance was approved.
30. First 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 East Twenty-First Street North Moved by Hallam, seconded by George to approve the first consideration of the Ordinance. AYES: Five. NAYS: None. first Consideration of the Ordinance was approved. Moved by Hallam, seconded by Dalton to suspend the rules and waive the second and third consideration of the Ordinance. AYES: Five. NAYS: None. Motion passed. Moved by Hallam, seconded by George, to adopt the Ordinance. AYES: Five. NAYS: None. Ordinance 2428 was adopted.

Resolution

31. Resolution amending the City's commitment to Newton Housing Development Corporation for 1015 North 3rd Avenue East
Moved by George, seconded by Dalton to adopt the Resolution. AYES: Five. NAYS: None. Resolution 2023-086 adopted.
32. Resolution Providing for the Issuance of \$4,760,000 General Obligation Corporate Purpose Bonds, Series 2023A and Providing for the Levy of Taxes to Pay the Same Moved by George, seconded by Trotter to adopt the Resolution. AYES: Five. NAYS: None. Resolution 2023-087 adopted.

- 33. Resolution amending the City of Newton Employee Handbook Appendix D: Vehicle Allowance and Mileage Reimbursement Policy
Moved by Dalton, seconded by Hallam to adopt the Resolution. AYES: Five. NAYS: None. Resolution 2023-088 adopted.
- 34. Resolution approving the 2023-24 Non-Union Compensation Plan
Moved by George, seconded by Trotter to adopt the Resolution. AYES: Five. NAYS: None. Resolution 2023-089 adopted.

Staff Report

- 35. Administration Update - Lisa Frasier, Finance Officer
Frasier presented updates on the Finance division.

Discussion

- 36. 2023 Ragbrai Route through Newton - Joe Grife, Public Works Director
This discussion was postponed to the next meeting.

Mayor/Council Comments

- 37. Mayor and Council Comments
Mayor Hansen thanked Pro-Tem Ervin for covering for him. Ervin was excited that Ragbrai is expecting 83% over last year's registered attendees. Newton Main Street and the Chamber will need a lot of volunteers to help. Ervin stated they are working on a date for the Commercial Inspection meeting.

Adjourn

Moved by George, seconded by Hallam to adjourn the meeting at 6:48 P.M. Motion unanimously carried by voice vote.

Katrina Davis, City Clerk

Michael L. Hansen, Mayor

City of Newton Council Report

**Item:**

Resolution approving Change Order No. 1 for the Newton Airport Taxiway Relocation Project

Summary:

Approval of change order related to contract revisions necessitated by new Federal Aviation Authority (FAA) material requirements

Report Number: 2023-335**Date:**

April 17, 2023

Lead Department:

Community Services

Recommendation:

Approve

Financial Impact:

\$52,536.14 change order, with the City's 10% local match totaling \$5,253.61; to be paid using FY-24 General Fund Bonds and other remaining bond funds designated for this project.

Background:

On May 17, 2021 City Council approved Resolution 2021-134 to enter into a contract totaling \$2,693,333.00 with Con-Struct of Marshalltown, Iowa for the Newton Airport Taxiway Relocation Project. Shortly thereafter, Con-Struct began work on the project under the then-current FAA specifications. Later in 2022, FAA Engineering issued new material requirements that affected a portion of the power circuit for the airport's Visual Approach Slope Indicator (VASI). The VASI is a system of lights on the side of the airport's runway threshold that provides visual descent guidance information to pilots during their final approach to the runway.

Due to FAA contract procedures, material changes to comply with new FAA material requirements must be incorporated into on-going projects even if the project has already started. Although this project's design followed published general FAA guidance, this change order removes materials that did not meet unpublished specifications provided by the FAA once certain agreements were in place. Materials meeting the FAA specifications are then added along with scope adjustments required by FAA Engineering.

Construction work, which ceased in late 2022 due to winter weather, has resumed and will be substantially completed by late spring.

Recommendation:

City Staff recommends that Council approve Change Order No. 1 for the Newton Airport Taxiway Relocation Project.

Matt Muckler, City Administrator

RESOLUTION 2023- _____

**RESOLUTION APPROVING CHANGE ORDER NO. 1 FOR THE NEWTON
AIRPORT TAXIWAY RELOCATION PROJECT**

WHEREAS, on May 17, 2021 City Council approved Resolution 2021-134 to enter into a contract totaling \$2,693,333.00 with Con-Struct of Marshalltown, Iowa for the Newton Airport Taxiway Relocation Project; and

WHEREAS, shortly thereafter Con-Struct began work on the project under the then-current FAA specifications; and

WHEREAS, later in 2022, FAA Engineering issued new material requirements that affected a portion of the power circuit for the airport's Visual Approach Slope Indicator (VASI), which is a system of lights on the side of the airport's runway threshold that provides visual descent guidance information to pilots during their final approach to the runway; and

WHEREAS, due to FAA contract procedures, material changes to comply with new FAA material requirements must be incorporated into on-going projects even if the project has already started; and

WHEREAS, the proposed Change Order No. 1 totals \$52,536.14, resulting in the City's 10% local match increasing by \$5,253.61; and

WHEREAS, the project's engineer has recommended approval of said change order.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of Newton, Iowa, that Change Order No. 1 for the Newton Airport Taxiway Relocation Project is hereby accepted.

BE IT FURTHER RESOLVED, by the City Council of the City of Newton, Iowa, that the Mayor and City Clerk are hereby authorized and directed to execute said Change Order No. 1 for the Newton Airport Taxiway Relocation Project.

BE IT FURTHER RESOLVED, by the City Council of the City of Newton, Iowa, that the City's 10% local match resulting from approval of Change Order No. 1 will be \$5,253.61; with said out-of-pocket cost to be paid using FY-24 General Fund Bonds and other remaining bond funds designated for this project.

PASSED this _____ day of April, 2023.

APPROVED this _____ day of April, 2023.

Michael L. Hansen, Mayor

ATTEST:

Katrina Davis, City Clerk



Clapsaddle-Garber Associates, Inc

Change Order Details

4487 TNU Reconstruct Partial Parallel Taxiway

Description	FAA 3-19-0065-017-2021 Reconstruct Partial Parallel Taxiway at Newton Municipal Airport.
Prime Contractor	Con-Struct, Inc. IA
Change Order	1
Status	Pending
Date Created	03/16/2023
Summary	CO-1 VASI Changes
Change Order Description	Due to changes as directed by FAA Engineering on the VASI power circuit, the contractor has experienced increased costs for newly specified materials and the scope has been increased beyond the bid document. Funding for the change order amount \$52,536.14 is provided under the current FAA Reimbursable Agreement.
Awarded Project Amount	\$2,693,333.00
Authorized Project Amount	\$2,693,333.00
Change Order Amount	\$52,536.14
Revised Project Amount	\$2,745,869.14

Increases/Decreases

Line Number	Item ID	Unit	Unit Price	Current		Change		Revised	
				Quantity	Amount	Quantity	Amount	Quantity	Amount
Section: 1 - Base Bid									
0580	58	LF	\$2.200	6,800.000	\$14,960.00	-5,900.000	-\$12,980.00	900.000	\$1,980.00
No.4 AWG, 600V, L-824, Type C Cable, Power or Equipment Ground, Installed in Trench, Duct or Conduit									
Reason: Wire insulation rating changed from design to FAA Engineering's redefined specification.									
			Funding Details						
			Default Fund Package	6,800.000	\$14,960.00	-5,900.000	-\$12,980.00	900.000	\$1,980.00
0590	59	LF	\$1.350	7,200.000	\$9,720.00	-1,700.000	-\$2,295.00	5,500.000	\$7,425.00
No. 6 AWG, Solid, Bare Counterpoise Wire, Installed in Trench, Including Ground Rods and Connectors									
Reason: Wire gauge changed from design to FAA Engineering's redefined specification.									
			Funding Details						
			Default Fund Package	7,200.000	\$9,720.00	-1,700.000	-\$2,295.00	5,500.000	\$7,425.00
0640	64	LF	\$3.450	7,200.000	\$24,840.00	-1,200.000	-\$4,140.00	6,000.000	\$20,700.00
1 Way 2 Inch Schedule 40 PVC Conduit, Including Trenching and Backfill									
Reason: PVC wall thickness changed from design to FAA Engineering's redefined specification.									
			Funding Details						
			Default Fund Package	7,200.000	\$24,840.00	-1,200.000	-\$4,140.00	6,000.000	\$20,700.00

Line Number	Item ID	Unit	Unit Price	Current		Change		Revised	
				Quantity	Amount	Quantity	Amount	Quantity	Amount
0670	67	LF	\$45.000	100.000	\$4,500.00	-100.000	-\$4,500.00	0.000	\$0.00
1 Way 3 Inch Schedule 40 PVC Conduit, Encased in Concrete, including trench and backfill									
Reason: PVC wall thickness changed from design to FAA Engineering's redefined specification.									
				Funding Details					
Default Fund Package				100.000	\$4,500.00	-100.000	-\$4,500.00	0.000	\$0.00
0690	69	LF	\$32.000	100.000	\$3,200.00	-100.000	-\$3,200.00	0.000	\$0.00
1 Way 3 Inch HDPE Conduit, Directionally Bored									
Reason: PVC conduit will be install using new Bid Item 4487-CO1-4.									
				Funding Details					
Default Fund Package				100.000	\$3,200.00	-100.000	-\$3,200.00	0.000	\$0.00
0710	71	EA	\$830.000	11.000	\$9,130.00	-7.000	-\$5,810.00	4.000	\$3,320.00
L-867 Electrical Handhole, Size D, 24" Deep									
Reason: Handhole size and shape changed from design to FAA Engineering's redefined specification.									
				Funding Details					
Default Fund Package				11.000	\$9,130.00	-7.000	-\$5,810.00	4.000	\$3,320.00
6 items	Totals			\$66,350.00		-\$32,925.00		\$33,425.00	

New Items

Line Number	Item ID	Unit	Quantity	Unit Price	Extension
Section: 1 - Base Bid					
0880	4487-CO1-1	LF	4,000.000	\$8.250	\$33,000.00
No. 4 AWG, 600V, XHHW/USE-2, Power or Equipment Ground, Installed in Trench, Duct, or Conduit: Replaces a certain quantity of Bid Item 58					
Reason: Wire insulation rating changed from design to FAA Engineering's redefined specification.					
			Funding Details		
Default Fund Package			4,000.000	\$8.250	\$33,000.00
0890	4487-CO1-2	LF	1,000.000	\$8.500	\$8,500.00
1/0 AWG, Stranded, Bare Counterpoise Wire, Installed in Trench, Including Ground Rods and Connectors: Replaces a certain quantity of Bid Item 59					
Reason: Wire gauge changed from design to FAA Engineering's redefined specification.					
			Funding Details		
Default Fund Package			1,000.000	\$8.500	\$8,500.00
0900	4487-CO1-3	LF	900.000	\$18.500	\$16,650.00
1 Way 3 Inch Schedule 80 PVC Conduit, Including Trenching and Backfill: Replaces a certain quantity of Bid Item 64					
Reason: PVC wall thickness changed from design to FAA Engineering's redefined specification.					
			Funding Details		
Default Fund Package			900.000	\$18.500	\$16,650.00
0910	4487-CO1-4	LF	80.000	\$39.750	\$3,180.00
1 Way 3 Inch Schedule 80 PVC Conduit, Encased in Concrete, Including Trench and Backfill: Replaces a certain quantity of Bid Item 67					

Line Number	Item ID	Unit	Quantity	Unit Price	Extension
Reason: PVC wall thickness changed from design to FAA Engineering's redefined specification.					
			Funding Details		
Default Fund Package			80.000	\$39.750	\$3,180.00
0920	4487-CO1-5	EA	5.000	\$3,127.650	\$15,638.25
Type Three Precast Electrical Handhole: Replaces a certain quantity of Bid Item 71					
Reason: Handhole size and shape changed from design to FAA Engineering's redefined specification.					
			Funding Details		
Default Fund Package			5.000	\$3,127.650	\$15,638.25
0930	4487-CO1-6	EA	1.000	\$327.950	\$327.95
60A Fused Disconnect 240V 3R Rated:					
Reason: Added per request of FAA Engineering to replace aging existing disconnect.					
			Funding Details		
Default Fund Package			1.000	\$327.950	\$327.95
0940	4487-CO1-7	LS	1.000	\$1,500.000	\$1,500.00
VASI Rock Pad Restoration:					
Reason: Added per request of FAA Engineering to renew surfacing surrounding VASI equipment.					
			Funding Details		
Default Fund Package			1.000	\$1,500.000	\$1,500.00
0950	9998	LS	1.000	\$4,366.000	\$4,366.00

Line Number	Item ID	Unit	Quantity	Unit Price	Extension
Project Lump Sum Increase: Material cost of Bid Item 58 quantity removed from project					
Reason: The quantity of wire removed from the project was previously purchased and is non-returnable. Wire must be replaced per 4487-CO1-1.					
			Funding Details		
Default Fund Package			1.000	\$4,366.000	\$4,366.00
0960	9998	LS	1.000	\$2,298.940	\$2,298.94
Project Lump Sum Increase: Material cost of Bid Item 71 quantity removed from project					
Reason: The quantity of handholes removed from the project was previously purchased and is non-returnable having precast the handholes. Handholes must be replaced per 4487-CO1-5.					
			Funding Details		
Default Fund Package			1.000	\$2,298.940	\$2,298.94
9 items					Total: \$85,461.14

Funding Summary

Fund Package	Original Amount	Authorized Amount	Pending Change	Revised Amount
Default Fund Package	\$2,693,333.00	\$2,693,333.00	\$52,536.14	\$2,745,869.14
1 fund package	\$2,693,333.00	\$2,693,333.00	\$52,536.14	\$2,745,869.14

Time Limit Changes

Type	Original Deadline	Current Deadline	Pending Extension	Pending Deadline
Working Days	12.0 Days	12.0 Days	30.0 Days	42.0 Days
Phase 3B				
Reason: Scope increased beyond the bid document.				
1 time limit				

Con-Struct, Inc.

Recommended by Engineer

City of Newton

City of Newton Council Report

**Item:**

Resolution authorizing the EPA property acquisition form to be completed

Summary:

Authorizing Mayor to complete form.

Financial Impact:

None

Report Number: 2023-403

Date:

April 17, 2023

Lead Department:

Utilities

Recommendation:

Approve

Background:

Water treatment is applying for an state revolving fund (SRF) loan for the engineering design and construction of a new Jordan Well. As part of the SRF loan requirements, an EPA property acquisition form must be approved and completed by the City.

There are no plans to acquire property for this project, but the form still must be approved by the City and completed.

Recommendation:

Approve the EPA property acquisition form and authorize the Mayor to sign the document.

Matt Muckler, City Administrator

RESOLUTION NO. 2023-_____

**RESOLUTION AUTHORIZING THE EPA PROPERTY ACQUISITION
FORM TO BE COMPLETED.**

WHEREAS, Water treatment is applying for a state revolving fund (SRF) loan for the engineering design and construction of a new Jordan Well and;

WHEREAS, part of the SRF loan requirements an EPA property acquisition form must be approved and completed by the City.

WHEREAS, there are no plans to acquire property for this project, but the form still must be approved by the City and completed.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of Newton, Iowa the mayor is authorized to sign the EPA property acquisition form.

PASSED this _____day of April 2023.

APPROVED this _____ day of April 2023.

Michael L. Hansen, Mayor

ATTEST:

Katrina Davis, City Clerk

U.S. ENVIRONMENTAL PROTECTION AGENCY

ASSURANCE WITH RESPECT TO REAL PROPERTY ACQUISITION
OF TITLE III OF THE UNIFORM RELOCATION ASSISTANCE AND REAL PROPERTY
ACQUISITION POLICIES ACT OF 1970 AS AMENDED

The _____ (Applicant) hereby assures that it has authority under applicable State and local law to comply with Section 213 of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, Public Law 91-646, 84 Stat. 1894 (42 U.S.C. 4601) as amended by the Surface Transportation and Uniform Relocation Assistance Act of 1987, Title IV of Public Law 100-17, 101 Stat. 246-256 (42 U.S.C. 4601 note) and 49 CFR 1.48(cc); and certifies, assures and agrees that, notwithstanding any other provision set forth in the application.

1. For projects resulting in the displacement of any person:

a. It will adequately inform the public of the relocation payments and services which will be available as set forth in Subparts A, C, D and E of 49 CFR 24.

b. It will provide fair and reasonable relocation payments to displaced persons as required by Subparts D and E of 49 CFR 24.

c. It will provide a relocation assistance program for displaced persons offering services described in Subpart C of 49 CFR 24.

d. Comparable replacement dwellings will be available pursuant to Subpart F of 49 CFR 24, or provided if necessary, a reasonable period in advance of the time any person is displaced.

e. In acquiring real property, it will provide at least 90 days written notice to each lawful occupant of real property acquired, stating the date such occupant is required to move from a dwelling or to move his business or farm operation.

2. For projects resulting in the acquisition of real property:

a. It will fully comply with the requirements of Subpart B of 49 CFR 24.

b. It will adequately inform the public of the acquisition policies, requirements and payments which apply to the project.

c. It will make every effort to acquire real property expeditiously through negotiation.

d. Before the initiation of negotiations it will have the real property appraised and give the owner or his representative an opportunity to accompany the appraiser during inspection of the property, except as provided in 49 CFR 24.102(c)(2).

e. Before the initiation of negotiations it will establish an amount which it believes to be just compensation for the real property, and make a prompt offer to acquire the property for that amount; and at the same time it will provide the owner a written statement of the basis for such amount in accordance with 49 CFR 24.102.

f. Before requiring any owner to surrender possession of real property it will pay the agreed purchase price; or deposit with the court, for the benefit of the owner, an amount not less than the approved appraisal of the fair market value of the property; or pay the amount of the award of compensation in a condemnation proceeding for the property.

g. If interest in real property is to be acquired by exercise of the power of eminent domain, it will institute formal condemnation proceedings and not intentionally make it necessary for an owner to institute legal proceedings to prove the fact of the taking of this real property; and

h. It will offer to acquire the entire property, if acquisition of only part of a property would leave its owner with an uneconomic remnant.

References to 49 CFR are citations to Title 49, Code of Federal Regulations, Part 24, published in the Federal Register Vol. 54, No. 40, March 2, 1989.

This document is hereby made part of and incorporated in any contract or agreement, or any supplements and amendments thereto, relating to the above-identified application and shall be deemed to supersede any provision therein to the extent that such provisions conflict with the assurances or agreements provided therein.

(Legal Name of Applicant)

By _____
(Signature of Authorized Representative)

(Date)

City of Newton Disbursements 4-18-23

Vendor	Department	Description	Amount
Acushnet Company	Golf	Merchandise	\$ 3,163.04
Ag-Grow Plus Lawn Care	Airport	Service	\$ 177.00
Airgas USA LLC	Fire	Supplies	\$ 194.76
Alliant Energy/IPL	All	Utilities	\$ 46,283.43
Amazon Capital Services	WPC	Supplies	\$ 52.50
American Business Phones	Administration	Service	\$ 185.00
Amerigroup Iowa Inc	Fire	Reimbursement	\$ 179.78
Axon Enterprise Inc	Police	Supplies	\$ 418.75
Baker Electric Inc	Traffic Control	Service	\$ 1,850.00
Blue Valley Public Safety Inc	Disaster Services	Supplies	\$ 825.00
Bound Tree Medical LLC	Fire	Supplies	\$ 187.49
Browning, Mike	Fire	Reimbursement	\$ 25.00
C. H. McGuiness Co Inc	WPC	Supplies	\$ 506.30
Caldwell Brierly & Chalupa PLLC	Cardinal Ridge TIF	Services	\$ 100.00
Card Services	All	Service	\$ 8,240.80
Cintas	All	Service	\$ 927.80
Cleveland Golf/Srixon	Golf	Merchandise	\$ 97.20
Continental Safety Equipment	Street	Supplies	\$ 61.68
Darrell's Electric	City Center	Service	\$ 120.00
Des Moines Stamp Mfg	Police	Supplies	\$ 29.50
Diamond Vogel Inc	Fire	Supplies	\$ 900.96
EZ Lease	Fire	Service	\$ 143.01
Firehouse Magazine	Fire	Subscription	\$ 61.19
Forbes Office Solutions	All	Supplies	\$ 594.76
Galls LLC	Fire/Police	Supplies	\$ 990.17
Garcia, Jose	Police	Reimbursement	\$ 768.69
Gilbert Lawn Care and Snow Removal LLC	City Hall/Library	Service	\$ 1,748.00
Grainger Inc	WPC	Supplies	\$ 1,205.66
Gregg Young Auto Center	Police	Service	\$ 153.14
Hawkins Water Treatment	WPC	Supplies	\$ 1,170.57
Heisdorffer, Rex	Fire	Reimbursement	\$ 16.73
HLW Engineering Group	Landfill	Service	\$ 3,912.50
Home Depot Pro	Parks	Supplies	\$ 346.28
IMWCA	All	Service	\$ 626.44
Iowa Dept of Agriculture & Land Steward	Airport	Service	\$ 9.00
Iowa Dept of Natural Resources	Landfill	Service	\$ 17,431.72
Iowa Economic Dev Authority Foundation	Community Marketing	Service	\$ 1,475.00
Iowa Fire Equipment	Maytag Pool	Supplies	\$ 214.00
Iowa Law Enforcement Academy	Police	Service	\$ 150.00
Iowa League of Cities	Police	Training	\$ 225.00
Iowa Native Trees LLC	Parks	Supplies	\$ 2,545.00
Iowa Police Chiefs Association	Police	Training	\$ 150.00
Iowa State University	Street	Training	\$ 270.00
iWorQ	All RESO 2021-106	Service	\$ 16,000.00
JETCO Inc	WPC	Services	\$ 762.50
Johnson Aviation	Airport	Reimb	\$ 31.99
Joni's Creations	Police	Service	\$ 27.00
Key Cooperative	All	Supplies	\$ 14,334.98
Keystone Labs	Landfill	Service	\$ 569.50
Lyman, Rick	D&D Program/Police	Services	\$ 1,161.43
Magnum Automotive	Police	Service	\$ 409.63
Mahaska Bottling Co	Golf	Concessions	\$ 115.00

Manatts - D.M.	Parks/Street	Supplies	\$ 2,676.70
Martin Marietta Materials	All	Supplies	\$ 6,134.57
Mary Greeley Medical Center	Police	Service	\$ 805.00
Maxim Advertising	Police	Service	\$ 36.00
Mediacom	Golf	Utility	\$ 109.95
MercyOne DSM Medical Ctr-Financial Ops	Fire	Supplies	\$ 525.87
MercyOne Occupational Health Clinic	Police	Service	\$ 967.00
Metro Waste Authority	Landfill	Service	\$ 8,192.10
NAPA Auto Parts	All	Supplies	\$ 1,404.75
News Printing Company	All	Service	\$ 2,842.46
NOVUS Glass of Central Iowa	Fire	Service	\$ 346.07
Office Depot	Cemetery	Supplies	\$ 45.58
Parkview Animal Hospital	Animal Control	Service	\$ 2,175.00
Per Mar Security Services	All	Services	\$ 628.09
Perkes, Rachelle	Private Incentives RESO 2021-208	Incentive	\$ 10,000.00
Phelps Uniform Specialists	City Center/Fire	Service	\$ 113.25
Pipe Pros Plumbing	Water Pollution Control	Services	\$ 733.97
Premier Office Equipment	Police	Service	\$ 355.93
Government Executive Media Group	Executive	Training	\$ 1,995.00
Quill Corporation	City Center/Fire	Supplies	\$ 87.96
Reeves Heating & Cooling	City Center	Service	\$ 2,269.45
Reserve Account-Pitney Bowes	All	Service	\$ 1,000.00
Riggs Printing Inc	Parks	Supplies	\$ 180.00
Rybo's Painting	Fire	Service	\$ 6,485.22
Smith Quality Rental	Landfill	Service	\$ 49.48
Spahn & Rose Lumber Co	Parks/Street	Supplies	\$ 155.10
Springer Professional Home Services	Golf	Service	\$ 46.20
Streichers	Police	Supplies	\$ 182.70
Stryker Sales Corporation	Fire	Supplies	\$ 1,443.00
Terracon Consultants Inc	N Central TIF/WPC	Services	\$ 3,287.50
Theisen's	All	Supplies	\$ 552.79
TK Elevator	City Center	Service	\$ 205.17
True Value Hardware	All	Supplies	\$ 132.02
Turner, Shelby Mossman & Kyle	Private Incentives RESO 2021-208	Incentives	\$ 10,000.00
Two Rivers Cooperative	All	Supplies	\$ 6,679.68
Unified Contracting Services Inc	Airport	Service	\$ 663.60
United Public Safety	Police	Service	\$ 46.48
United States Cellular	All	Utilities	\$ 1,193.91
USABlueBook	WPC	Supplies	\$ 201.86
USPS	Finance	Service	\$ 252.00
Utility Equipment Co	WPC	Supplies	\$ 163.20
Van Maanen Electric Inc	Street Lighting	Service	\$ 4,375.86
Verizon Wireless	Disaster Services	Service	\$ 35.01
Warnick Mechanical	WPC	Services	\$ 1,210.00
Water Department	All	Utility	\$ 63.05
Woodruff Construction LLC	2021 Sewer Rev Bonds/RESO22-285	Services	\$ 273,748.04
Zoll	Fire	Supplies	\$ 404.81

Grand Totals:

\$ 487,346.26

Pre-Authorized Payments

AT & T Mobility	Landfill/Police	Utilities	\$ 1,077.91
Black Hills Energy	All	Utilities	\$ 14,890.25
Doll Distributing LLC	Golf	Concessions	\$ 934.89
Iowa Beverage Systems	Golf	Concessions	\$ 577.40
Johnson Brothers of Iowa	Golf	Concessions	\$ 507.00
Lion Development Group	N Central TIF - Tax Rebate	Rebate	\$ 50,030.00

S&P Global Rating	Debt Service RESO 2023-075	Service	\$ 14,250.00
Windstream	All	Utilities	\$ 1,800.51
Total			\$ 84,067.96

ACH Payments from Great Southern Bank

Advantage Credit Union	All	Insurance	\$ 13,770.00
Bank Iowa	All	Insurance	\$ 4,185.00
Great Southern Bank	All	Insurance	\$ 270.00
Kabel	All	Insurance	\$ 50.00
Payroll 3-17-23	All	Payroll	\$ 364,183.45
Payroll 3-31-23	All	Payroll	\$ 356,908.79
Mutual of Omaha	All	Insurance	\$ 5,026.05
Great Southern Bank	Golf	Fees	\$ 213.75
Met Life Dental	All	Insurance	\$ 10,535.67
State of Iowa	General	Sales Tax	\$ 3,401.60
Wellmark BC/BS	All	Insurance	\$ 184,233.29
Total:			\$ 942,777.60

Newton Waterworks Disbursements 4-18-23

Vendor	Department	Description	Amount
AIR PRODUCTS AND CHEMICALS INC.	Waterworks	SUPPLIES	\$ 2,982.54
ALLIANT ENERGY ACCOUNT PAYABLE	Waterworks	SERVICE	\$ 33,333.31
BIG STATE INDUSTRIAL SUPPLY INC.	Waterworks	SUPPLIES	\$ 139.80
BSI ONLINE BACKFLOW SOLUTIONS, INC.	Waterworks	SERVICE	\$ 495.00
CITY OF NEWTON	Waterworks	SERVICE	\$ 24,327.26
CITY OF NEWTON - LANDFILL	Waterworks	SERVICE	\$ 653.41
CITY OF NEWTON- PUBLIC WORKS	Waterworks	SERVICE	\$ 556.26
CLINE TOOL	Waterworks	SERVICE	\$ 458.25
CONTINENTAL RESEARCH CORP	Waterworks	SUPPLIES	\$ 276.69
DOW, WAYNE COOK & ULA	Waterworks	REFUND	\$ 78.80
FARVER TRUE VALUE	Waterworks	SUPPLIES	\$ 348.84
GORDON FLESCH COMPANY, INC.	Waterworks	SERVICE	\$ 145.00
H & D SERVICES	Waterworks	SERVICE	\$ 2,297.10
HACH CHEMICAL COMPANY	Waterworks	SUPPLIES	\$ 676.01
HAWKINS INC	Waterworks	SUPPLIES	\$ 6,802.67
INTERSTATE ALL BATTERY CENTER	Waterworks	SUPPLIES	\$ 19.70
IOWA GROUNDWATER ASSOCIATION	Waterworks	SERVICE	\$ 200.00
IOWA PLAINS SIGNING INC	Waterworks	SUPPLIES	\$ 746.00
JOHNSON CONTROLS SECURITY SOLUTIONS	Waterworks	SERVICE	\$ 629.27
MICROBAC LABORATORIES, INC	Waterworks	SERVICE	\$ 253.50
MISSISSIPPI LIME COMPANY	Waterworks	SUPPLIES	\$ 21,691.34
MUNICIPAL SUPPLY INC	Waterworks	SUPPLIES	\$ 6,368.60
NAPA AUTO PARTS	Waterworks	SUPPLIES	\$ 28.96
NEWTON DAILY NEWS	Waterworks	SERVICE	\$ 64.80
STATE HYGIENIC LABORATORY	Waterworks	SUPPLIES	\$ 20.00
T/C TOWN COUNTRY SERVICES	Waterworks	SERVICE	\$ 380.00
THEISEN'S	Waterworks	SUPPLIES	\$ 294.80
TRUGREEN CHEMLAWN	Waterworks	SERVICE	\$ 178.73
UNITED RENTALS (NORTH AMERICA), INC	Waterworks	SUPPLIES	\$ 170.00
US CELLULAR	Waterworks	SERVICE	\$ 135.11
UTILITY EQUIPMENT CO	Waterworks	SUPPLIES	\$ 3,826.43
VAN WALL EQUIPMENT	Waterworks	SUPPLIES	\$ 141.82
VAN WERT INC.	Waterworks	SERVICE	\$ 8,315.00
VERNON COMPANY	Waterworks	SERVICE	\$ 68.97
VISA	Waterworks	SUPPLIES	\$ 574.17
WINDSTREAM	Waterworks	SERVICE	\$ 1,015.55
WINDSTREAM COMMUNICATIONS, INC	Waterworks	SERVICE	\$ 425.00
ZIEGLER INC	Waterworks	SERVICE	\$ 1,132.98

TOTAL:

\$ 120,251.67

City of Newton Council Report

**Item:**

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

Summary:

Updates the council majority rules on a Mayor's veto

Financial Impact:

None

Report Number: 2023-296

Date:

April 17, 2023

Lead Department:

Administration

Recommendation:

Approve

Background:

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 another Workshop on November 28, 2022 to specifically look at the potential to update the 2018 Procedural Rules of the Newton City Council. At that workshop, the Council provided the City Attorney with direction on specific changes that they would like to see made to the 2018 Procedural Rules of the Newton City Council. Council members were encouraged to identify 1) which rules, if any, they would like to amend and provide specific language, 2) which rules, if any, they would like to delete from the current Rules of Procedure, and 3) which rules, if any, they would like to add to the current Rules of Procedure and provide specific language.

During the March 06, 2023, meeting, Council discussion ensued regarding the changes and finalizing the adoption of an amended Resolution approving the amended 2023 Procedural Rules of the Newton City Council. Rule 16 was amended as follows:

"Rule 16. Mayor's Veto. The Mayor may sign, veto or take no action on an ordinance, amendment or resolution passed by the Council. However, the Mayor may not veto a measure if the Mayor was entitled to vote on the measure at the time of passage. If the Mayor exercises the Mayor's veto power, the Mayor must explain the reason for such veto to the Council at the time of the veto. The Council may override the Mayor's veto by a three-fourths majority or at least 5 of the Council members."

This change in the rules requires that The Code Of Ordinances, City Of Newton, Iowa, 2016, Title III, Chapter 30, Section 30.002, "Powers And Duties" be changed to align with the rules.

Recommendation:

Approve the Ordinance to align with the 2023 Procedural Rules of the Newton City Council.

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

Matt Muckler, City Administrator

ORDINANCE NO. _____

ORDINANCE AMENDING THE CODE OF ORDINANCES, CITY OF NEWTON, IOWA, 2016, TITLE III,
CHAPTER 30, SECTION 30.002, "POWERS AND DUTIES"

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

Section 1. The Code of Ordinances, City of Newton, Iowa, 2016, Title III, Chapter 30, Section 30.002, "Powers and Duties" is hereby amended by adding or deleting the following:

§ 30.002 POWERS AND DUTIES.

The powers and duties of the Mayor shall be as follows.

(A) *Chief executive officer.* The Mayor is the chief executive officer of the city and, except for the duties delegated by law or ordinance to the City Administrator, the Mayor shall supervise all departments of the city.

(B) *Presiding officer.* The Mayor shall act as presiding officer at all regular and special Council meetings. The Mayor Pro Tem shall serve in this capacity in the Mayor's absence.

(C) *Special meetings.* The Mayor shall call special meetings of the Council when the Mayor deems such meetings necessary to the interests of the city.

(D) *Mayor's veto.* The Mayor may sign, veto or take no action on an ordinance, amendment or resolution passed by the Council. However, the Mayor may not veto a measure if the Mayor was entitled to vote on the measure at the time of passage. If the Mayor exercises the Mayor's veto power, the Mayor must explain the reason for such veto to the Council at the time of the veto. The Council may override the Mayor's veto by a ~~two-thirds majority of the Council members~~ three-fourths majority or at least 5 of the Council members.

(E) *Reports to Council.* The Mayor shall make such oral or written reports to the Council at the first meeting of every month as required. These reports shall concern municipal affairs generally, the municipal departments and recommendations suitable for Council action.

(F) *Contracts.* The Mayor shall, whenever authorized by Council, sign contracts on behalf of the city.

Section 2. Repealer Clause. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 3. 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 4. Effective. This ordinance shall be effective after the final passage, approval and publication as provided by law.

PASSED this ____ day of _____, 2023.

APPROVED this ____ day of _____, 2023.

(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 _____, 2023 and was published in the Newton Daily News, a newspaper of general circulation in the said City of Newton on the ____ day of _____, 2023.

Dated this ____ day of _____, 2023.

Katrina Davis, City Clerk

City of Newton Council Report

**Item:**

First Consideration of an Ordinance Amending the City of Newton Code of Ordinances Chapter 32, Section 32.003 Membership to expand eligibility for persons to serve on the Historic Preservation Commission to include owners of historic properties in the City of Newton

Summary:

An ordinance expanding membership eligibility for the Historic Preservation Commission to include owners of historic properties.

Financial Impact:

None.

Report Number: 2023-383**Date:**

April 17, 2023

Lead Department:

Community Development

Recommendation:

Approve

Background:

At their meeting on April 3, 2023, the Newton Historic Preservation Commission discussed ways to increase interest in the current vacancy on the board. Ultimately, the Newton HPC passed a motion recommending to Council the expansion of eligibility to include persons who own a historic property in Newton.

The Commission believes this will provide an avenue to recruit persons particularly interested in historic property to serve on the Commission.

Recommendation:

Staff recommends approval.

Matt Muckler, City Administrator

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE NEWTON CITY CODE OF ORDINANCES TO EXPAND ELIGIBILITY FOR PERSONS TO SERVE ON THE HISTORIC PRESERVATION COMMISSION TO INCLUDE OWNERS OF HISTORIC PROPERTIES IN THE CITY OF NEWTON

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

Section 1. Title 3, Chapter 32 shall be amended by adding the underlined text to Section 32.003(A) as follows:

32.003(A) The Commission shall consist of five members who shall reside within the 50208 zip code or who own a historic building inside the City of Newton city limits.

Section 2. 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 3. Amendatory Provisions. The City may amend this ordinance to meet any unforeseen circumstances which may affect the duties and responsibilities of the Commission.

Section 4. Effective. This ordinance shall be effective from and after the final passage, approval and publication as provided by law.

PASSED this ____ day of _____, 2023.

APPROVED this ____ day of _____, 2023.

(SEAL)

Michael L. Hansen, Mayor

ATTEST:

Katrina Davis
City Clerk

First Consideration: _____
Public Hearing: _____
Second Consideration: _____
Third Consideration: _____

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 _____, 2023 and was published in the Newton Daily News, a newspaper of general circulation in the said City

Dated this _____ day of _____, 2023.

Katrina Davis
City Clerk

STATE OF IOWA)
COUNTY OF JASPER) SS

City of Newton Council Report

**Item:**

Resolution approving a Newton Hotel-Motel Tourism Grant Program Application for \$2500 from Fierce Faith Music Festival

Summary:

Fierce Faith Music Festival has requested funding from the Newton Hotel-Motel Tourism Grant Program. The resolution approves the granting of funds for the event, which aligns with the comprehensive plan.

Financial Impact:

\$2500 from Hotel/Motel Tax funds

Report Number: 2023-370

Date:

April 17, 2023

Lead Department:

Community Development

Recommendation:

Approve

Background:

City Council approved the Newton Hotel-Motel Tourism Grant Program on December 5, 2022 (Resolution 2022-349). The Newton Hotel-Motel Tourism Grant Program is intended to encourage the development, continuation and promotion of projects, events and other initiatives that attract visitors from outside of Newton, especially those who are likely to spend the night in local hotels or motels. While the program is not fully funded until FY24, the Community Development Department has set aside some FY23 Hotel/Motel Tax funds to offer a soft rollout for events happening between now and the October deadline.

Fierce Faith Music, was created in the Spring of 2022, and held their inaugural event in downtown Newton in June 2022. They are hosting their second event on June 17, 2023 in the greenspace at Legacy Plaza. The change in location provides the group with more space to spread out, welcome more concert goers, and encourage families to attend by bringing bounce houses and food trucks to the event. The group is estimating between 1000 - 2000 people will attend the event in June, and are encouraging out-of-town attendees to stay in local hotels. They have chosen to keep the event in downtown Newton to encourage people to stay, shop, dine and relax in Newton. They are advertising the event on radio stations in Cedar Rapids, Des Moines and Pella.

Fierce Faith is currently seeking church donations and sponsorships in addition to a Newton Hotel-Motel Tourism Grant. They have asked for a grant of \$2500 which is below the 25% threshold set forth by the program rules.

Recommendation:

Staff recommends approval of this resolution.

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

Matt Muckler, City Administrator

RESOLUTION NO. 2023- _____

RESOLUTION APPROVING A NEWTON HOTEL-MOTEL TOURISM GRANT
PROGRAM APPLICATION FOR \$2500 FROM FIERCE FAITH MUSIC FESTIVAL

WHEREAS, the City’s comprehensive plan, *Envision Newton 2042*, contains a vision statement that invites visitors, businesses and residents to experience Newton’s authentic, small-town charm and big city amenities, and

WHEREAS, the City Council established the Newton Hotel-Motel Tourism Grant Program in December 2022,

WHEREAS, through Hotel-Motel Tax funding, the City will consider grants of up to a maximum of \$2,500 to support the development, continuation and promotion of projects, events and other initiatives that attract visitors from outside of Newton, and

WHEREAS, Fierce Faith Music has submitted an application for a \$2,500 grant to support their June 17, 2023 event, and

WHEREAS, the total grant amount requested does not exceed the 25% threshold set out by the program rules,

NOW, THEREFORE BE IT RESOLVED, by the City Council of Newton, Iowa that a Hotel-Motel Tourism Grant in an amount not to exceed \$2,500 be provided to Fierce Faith Music in accordance with the established program rules. Hotel-Motel tax dollars shall be the funding source of the grant.

PASSED this _____ day of April, 2023.

APPROVED this _____ day of April, 2023.

Michael L. Hansen, Mayor

ATTEST:

Katrina Davis, City Clerk

Newton Hotel-Motel Tourism Grant Program

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

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

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

Purpose

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

Guidelines

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

Grant Amounts & Application Process

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

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

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

Accessing funds awarded

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

Credit Line

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



Newton Hotel-Motel Tourism Grant Program Grant Request Application Form

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

Organization: Fierce Faith

Address: 1715 N 10th Ave E, Newton, IA 50208

Contact Person: Kristi Cummins

Phone Number: 641-840-2501

Email Address: Kristi@FierceFaithmusic.org

1. Project Summary

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

Fierce Faith was created in the Spring of 2022 by Nicki Kristi Cummins to promote Christian outreach by providing Central Iowa with a Christian based worship experience through uplifting music and entertainment accessible to the public. We held our inaugural event in downtown Newton June 2022, with an attendance of approximately 450. We will be holding our second event June 17, 2023 in the greenspace at Legacy Plaza. Currently, we will host nationwide artists Unspoken and Ben Fuller, as well as local band Friday Night Fire.

This year we will have more space to spread out, welcoming more concert goers and their kids to this family event. Bounce Houses will be available for the kids, as well as food trucks for all to eat as they listen to the music.

2. Economic Impact on Newton

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

We have intentionally placed our event in the heart of the city to encourage people to stay, shop, dine, and relax in Newton. With the downtown businesses only blocks away as well as the Best Western hotel across the street we hope the patrons stay awhile to see what Newton offers.

We are estimating between 1000-2000 people will attend in June.

Advertising will begin soon on radio stations in Cedar Rapids, Des Moines & Pella. We hope to even get some help from the local TV stations.

3. Total Estimated Expenses by Category

Materials	\$ 2000 -
Advertising (which local outlets):	\$ 1000 -
Other Publicity/Marketing:	\$ 5000 -
Printing:	\$ 500 -
Equipment/Space Rental:	\$ 17,000 -
Honoraria or Fees:	\$ 200 -
Food You Will Purchase for the Event (not food sales)	\$ 500 -
Hotel/Motel Expenses (if your group will be paying for rooms):	\$ 1000 -
Other Artists	\$ 35,000 -
Total	\$ 62,200 -

4. Income From Other Sources

Individual/Organization Name: Misc Church donations	\$ 25,000 -
Individual/Organization Name:	\$
Individual/Organization Name:	\$
Admission/Participation Fees (if any): \$20 / ticket x 1000 people * income will	\$ 20,000
Other Grants	\$
Donations	\$ 20,000
Total	\$ 65,000 -

5. Amount Being Requested from the Newton Hotel-Motel Grant Program: \$ 2500 -

6. Funding

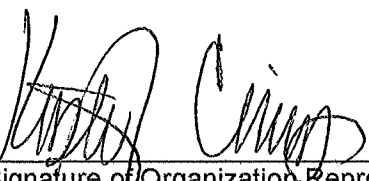
How do you plan to secure other funding (outline sources and approaches if not already noted in your income section):

We have been actively fundraising since this past fall for the event. So far we have received donations and sponsorships from local churches, businesses and individuals.

7. Other Information

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

Last years planning was fast & furious. We didn't have much time to organize and plan. This year has been different. We hit the ground running in September 2022 and haven't stopped yet. There have been some serious excitement in the community for the upcoming event.

	<u>February 27, 2023</u>
Signature of Organization Representative	Date
<u>Kristi J Cummins</u>	<u>President Serece Faith</u>
Printed Name	Title

For Internal Use:

Date Rcvd:	Prior Mtg:	Up Cncil Mtg:	Pckt Due Date:
------------	------------	---------------	----------------

City of Newton Council Report

**Item:**

Resolution approving an amendment to the adopted Low-Moderate Income Set Aside Funds policy

Summary:

A resolution amending the LMI Set Aside Funds Policy to include assistance with dead tree removal to low-mod income households.

Financial Impact:

None. Policy Change.

Report Number: 2023-382

Date:

April 17, 2023

Lead Department:

Community Development

Recommendation:

Approve

Background:

In late 2022, a concerned citizen spoke to the Council about the danger that dead trees have to whole neighborhoods and requested the Council consider establishing an assistance program to encourage the removal of dead trees on residential properties.

Since that time, staff and the City's bond counsel have determined that the LMI Set Aside funds from the housing TIF program would be an appropriate source to assist low-mod income households with dead tree removal. This resolution amends the LMI policy to add dead/dying tree removal as an eligible category.

Individual funding requests would still require council approval as they are received.

Recommendation:

Staff recommends approval.

Matt Muckler, City Administrator

RESOLUTION NO. 2023 – _____

**RESOLUTION APPROVING AN AMENDMENT TO THE
ADOPTED LOW-MODERATE INCOME SET ASIDE FUNDS
POLICY**

WHEREAS, the comprehensive plan identifies housing development as a community priority; and

WHEREAS, the City has utilized Tax Increment Financing as a means for developing new housing; and

WHEREAS, State of Iowa Code requires a low-moderate income housing set-aside fund for a portion of the new tax increment from the residential tax increment district; and

WHEREAS, a Low-Moderate Income Set Aside Funds Policy provides the necessary guidance on when and where the funds can be used for future projects;

WHEREAS, in response to citizen concerns regarding dead and dying trees in neighborhoods, the city desires to add an eligible category for tree removal to the adopted Low-Moderate Income Set Aside Funds Policy;

NOW, THEREFORE, BE IT RESOLVED by the City Council of Newton, Iowa, that the amendment adding the eligible category of “Dead or Dying Tree Removal” to the Low-Moderate Income Set Aside Funds Policy is hereby approved.

PASSED this _____ day of April, 2023.

APPROVED this _____ day of April, 2023.

Michael L. Hansen, Mayor

ATTEST:

Katrina Davis, City Clerk



City of Newton Low-Moderate Income Housing Set-Aside Funds Policy

Purpose. The City of Newton has identified housing development as a serious need for the community since the adoption of the 2012 comprehensive plan, *Newton's Future*. Some barriers to providing housing options are the cost of infrastructure construction, the cost of labor and materials, and the challenge of enticing regional developers into the community.

To address such barriers to general housing development, the City of Newton utilizes Tax Increment Financing (TIF), when and where City Council has determined it is appropriate. When TIF funding is used for residential development, State of Iowa law requires that the City of Newton set aside a portion of the newly generated tax increment for Low-Moderate Income (LMI) Housing. The purpose of this policy is to provide guidance on when and how the City intends to utilize the LMI funds throughout the community.

Policy Goals. The following are the City's identified goals for the Low-Moderate Housing Set-Aside Funds Policy:

- Assist with the development and construction of high-quality, safe, and affordable housing.
- Support neighborhood revitalization and improve neighborhood livability.

Policy Areas. The following program areas accomplish the City's goals for improving and increasing affordable housing in the community.

Any incentive to private persons or entities that may qualify under programs listed in this policy requires additional City Council approval.

- I. **Low-Mod Income Existing Housing Improvement Grant.** Supporting low-moderate income households through the revitalization or rehabilitation of their existing home provides an affordable housing opportunity while also improving existing neighborhood.
 - a. Eligible for rehabilitation/revitalization projects for owner-occupied homes. The applicant must show proof of ownership of the property and proof that the property serves as the owner's primary residence.

- b. The property owner/applicant shall have an income at or lower than 80% of the median income for Jasper County. The applicant shall provide proof of income eligibility by submitting the most recent income tax return.
- c. The City will not invest in a property found to have structural deficiencies that are not planned to be addressed in the work plan. Property owners should plan to have the property available for inspection by City as part of the review of the proposal and funding request.
- d. The maximum grant received per property from the City's LMI set-aside funds will be based on project area. A 25% applicant cash match for each program area shall be met.
 - i. Foundation Work: \$10,000
 - ii. Permanent/Semi-permanent Interior Work, including wall reconstruction, floor refinishing and flooring, cabinetry, paint, etc. Not eligible items include window coverings, furnishings, etc.: \$15,000
 - iii. Windows and Doors: \$10,000
 - iv. HVAC: \$6,000
 - v. Plumbing: \$8,000
 - vi. Electrical: \$5,000
 - vii. Exterior Treatments, including siding, tuck-pointing, stucco, exterior paint, etc.: \$10,000
 - viii. Roofing: \$6,000
- e. Floor plans and/or product specific information shall be submitted for City review.
- f. All required building and trades permits shall be obtained.

II. State/Federal Affordable Housing Application Financial Support. Successful affordable housing projects are often the result of public-private partnerships.

- a. Projects that seek Low Income Housing Tax Credits (LIHTC) from the Iowa Finance Authority (or other low-mod income housing programs from a state or federal agency) may be eligible for a local housing grant, funded by the City's LMI set-aside funds.
- b. Projects qualifying for this local grant shall meet the requirement of providing housing to households earning less than 80% of median county income.
- c. The City's Affordable Housing Application Financial Support shall be in the form of a reimbursement grant, in an amount determined by City Council before the project is initiated. The reimbursement grant is issued to the developer at the time the project is completed and the Certificate of Occupancy is issued.
- d. All City approvals and permits, as required by the adopted codes, shall be obtained.

III. Neighborhood Sidewalk Construction, Reconstruction and ADA Improvements. Infrastructure development and improvement is important for the revitalization of low and moderate income neighborhoods. Sidewalks are a critical piece of neighborhood infrastructure and have a significant impact on neighborhood

livability. Walkable neighborhoods are directly connected to lower obesity rates, higher property values, and improved quality of life. As Bereitschaft writes in his article for *Urban Science* about walkability and housing affordability, “overall there is reason for concern that households earning the median income or below may have more limited access to safe, walkable neighborhoods proximal to job centers.”¹

Through the improvement of sidewalks, the City will uplift the livability for many low and moderate income neighborhoods and residents.

City Construction Projects. The City may reconstruct existing sidewalks, construct new sidewalks, and/or make ADA improvements in low and moderate income neighborhoods using LMI set-aside funds under the following guidance:

- a. The City has conducted an income survey of the residents of properties adjacent to the proposed sidewalk or ADA improvements and determined that the majority of the households have an income at or lower than 80% of the median income for Jasper County.
- b. The sidewalk or ADA improvement(s) are constructed in accordance to the City’s adopted standards.

Private Construction Projects. The City may provide sidewalk construction/reconstruction or ADA improvement grants (as a reimbursement) to property owners from LMI set-aside funds under the following guidance:

- a. The owner(s) of the property or the resident (tenant) of the property adjacent to the proposed public sidewalk/ADA improvement has an income at or lower than 80% of the median income for Jasper County; **OR** the owner of the property adjacent to the proposed public sidewalk/ADA improvement is a non-profit affordable housing entity or a partner of a non-profit affordable housing entity and is engaged in the construction of a new affordable home at the location.
- b. The sidewalk or ADA improvement(s) are constructed in accordance to the City’s adopted standards and all necessary permits are obtained.

IV. **Neighborhood Revitalization and Blight Removal.** Acquiring and removing blight in neighborhoods uplifts property values for the surrounding property owners. In addition, it provides a redevelopment lot for the construction of a new affordable home.

City acquisition and demolition. The City will utilize LMI set-aside funds for the acquisition and demolition of dilapidated property under the following guidance:

¹ Bereitschaft B. Neighborhood Walkability and Housing Affordability among U.S. Urban Areas. *Urban Science*. 2019; 3(1):11. <https://doi.org/10.3390/urbansci3010011>

- a. The property or properties exhibit conditions or defects that render the structure dangerous or blighted (see 1997 Uniform code for the Abatement of Dangerous Buildings), and/or the property was acquired through the process described by State of Iowa Code Section 657A.10A (Abandoned Buildings).
- b. The property or properties, once acquired by the City cleared of blight, will be utilized for the construction of affordable housing by or in conjunction with a non-profit housing partner (such as Habitat for Humanity, Homes for Iowa, etc.), or by any other private housing developer constructing a project eligible for state or federal low income housing tax credits or grants, or by any other private housing developer who successfully sells the home to a household at or lower than 80% of the median income for Jasper County.
- c. The property or properties, once cleared of blight, may be sold to an income-qualified, adjacent property owner for the benefit and enhancement of their existing home site when utilized as additional yard space.
 - i. The City of Newton will use the buyer's most recent income tax return to verify income eligibility at or below 80% of the median income for Jasper County.
- d. If the City of Newton acquires and demolishes any property utilizing the LMI set-aside fund, but then sells, deeds, or otherwise utilizes the property for any purpose other than affordable housing, then the City of Newton will reimburse the LMI set-aside fund an amount equal to the cost of said property's acquisition and demolition from another revenue source (lot sales, general obligation bonds, or other).

Private Sector acquisition and demolition. Private citizens that have an income at or lower than 80% of the median income for Jasper County may privately purchase and demolish a blighted structure in their neighborhood and receive a reimbursement grant for the acquisition and demolition under the following guidance:

- a. The acquired property exhibits conditions or defects that render the structure dangerous or blighted. (see 1997 Uniform Code for the Abatement of Dangerous Buildings)
- b. A copy of the settlement statement from the purchase of the property, a copy of the recorded deed showing ownership, and a copy of the paid invoice for the demolition shall be provided to the City following the completion of the project prior to reimbursement.
- c. A demolition permit shall be obtained prior to demolition work commencing.

Dead or Dying Tree Removal. Property owners that have an income at or lower than 80% of the median income for Jasper County may apply for a reimbursement grant for the removal of a dead or dying tree at the property in which they reside. The applicant shall provide proof of income eligibility by submitting the most recent income tax return.

- a. The subject “dead tree” shall be documented as dead or dying by a report provided by a certified arborist and/or an inspection completed by City staff. Seasonal photographs submitted by the applicant may also be required, depending on the time of year the grant request is made.
- b. Grants shall be provided as a reimbursement of completed work. A 25% applicant match is required. The applicant shall provide a copy of paid invoices and the City will inspect the property to verify work has been completed.
- c. The maximum award per removed tree is \$1,000.

City of Newton Council Report

**Item:**

Resolution authorizing increase in pay for Fire Captain from Range 8 to Range 9 in the Fire Department

Summary:**Financial Impact:**

The financial impact would be \$16,694 using the FY22/23 Pay Matrix.

Report Number: 2023-411

Date:

April 17, 2023

Lead Department:

Fire

Recommendation:

Approve

Background:

The Fire Department Fire Captain position is the supervisory leader of each of the department's three shifts. This position is not only responsible for day-to-day leadership, but is responsible for managing the culture of the organization. At one time, the Fire Captain position pay differential to the line staff was enough to make the job appealing to line staff. Over the years, the pay differential has eroded due to disconnection with annual increases given to the line staff through contract negotiations. In a recent promotion, the firefighter/paramedic that promoted was currently earning \$75,660 (maximum pay for line staff by contract). Once promoted, he was placed on the pay matrix with a minimum of a 5% increase by Administrative Policy. This placed him at a range 8, step 10, or \$80,669. As a firefighter he was eligible for overtime at a rate of \$38.97. (1.5 X \$25.98). There is a \$5,009 difference in his pay. This would equate to 128.5 hours of overtime to make the same amount. Since they work 24 hour shifts this equates to 5.35 shifts. As a frame of reference, in 2011 a firefighter would have to work approximately 12 shifts to make up that difference. This particular person worked quite a bit of overtime instead of working part time for another department, which is very common amongst firefighters. From January through June of 2022, this person worked a total of 139 hours of overtime. Simple multiplication (139 X \$38.97) would result in \$5,417 in extra pay for the six-month period. In his own terms, he stated he is taking a pay cut (annually) to become a supervisor with no option for extra work or pay to change the gap.

I believe this compaction has come about over the years due to quickly escalating pay rates for firefighter/paramedics in the market. Many years have realized a range of 2.75 – 4% for increases in wages. Our Captains have been on the pay matrix and have only received the same annualized increases as other employees, typically in the range of 2 – 2.25% increase.

Recommendation:

Move the Fire Captain position from Range 8 to Range 9. This would provide an approximate 6.5% raise to the Fire Captains placing two of them at Range 9, Step 13 and one at Range 9, Step 10. The estimated cost of this move is \$16,694 using the FY22/23 Pay Matrix. This increase would be effective on 7/1/2023. This recommendation was heard at the Employee Relations Committee meeting held prior to City Council meeting on 4/17/2023 and is subject to their recommendation to City Council.

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

Matt Muckler, City Administrator

RESOLUTION NO. 2023-_____

RESOLUTION AUTHORIZING INCREASE IN PAY FOR FIRE CAPTAIN FROM RANGE 8 TO RANGE 9 IN THE FIRE DEPARTMENT.

WHEREAS, the Fire Department relies on a Fire Captain as the supervisory leader of each of the department’s three shifts; and

WHEREAS, this position is not only responsible for day-to-day leadership, but is responsible for managing the culture of the organization; and

WHEREAS, the Fire Captain position pay differential to the line staff was enough to make the job appealing to line staff; and

WHEREAS, the pay differential has eroded due to disconnection with annual increases given to the line staff through contract negotiations; and

WHEREAS, the proposal to change the Fire Captain pay from Range 8 to Range 9 and move the current positions up with a minimum increase of 5% resulting in two Fire Captains moving to Range 9, Step 13 and one Fire Captain moving to Range 9, Step 10; and

WHEREAS, the stated changes were presented to the Employee Relations Committee (ERC) and the ERC recommended the changes be made.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Newton, Iowa, that the City of Newton hereby approves increasing the Fire Captain pay from Range 8 to Range 9 in the Fire Department as stated.

PASSED this _____ day of April 2023.

APPROVED this _____ day of April 2023.

Michael L. Hansen, Mayor

(SEAL)
ATTEST:

Katrina Davis, City Clerk