



Newton City Council Agenda

July 10, 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

Citizen Participation

2. 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

3. June 19, 2023 Regular City Council Meeting Minutes
4. June 19, 2023 Special City Council Meeting Minutes
5. Approve Liquor Licenses for the following: American Legion-LC0018906, Temporary Premise Transfer to 200 N 2nd Ave W for July 14th and August 11th - Thundersnights and 208 N 2nd Ave W for July 27th - Ragbrai Event; Walgreens #05942- LE0002171, 1204 1st Ave East, Class E Retail, renewal and ownership update; Newton Lodge #1270, B.P.O. Elks- LF0000274, 111 East 2nd Street S, Class F Retail; Hy-Vee Indycar, 3333 Rusty Wallace Drive, Class C Retail, Outdoor Service, Special Event - 14 Day, July 13th - July 26th
6. Resolution authorizing the City of Newton to apply for an Iowa Thriving Communities designation with the Iowa Finance Authority (IFA) and Iowa Economic Development Authority (IEDA)
7. Resolution Setting Public Hearing for sale 909 East 7th Street North
8. Resolution Approving the Acquisition of Private Land to be Merged into the E. 5th St. N. and N. 11th Ave. E. Street Right-of-Way from 1001 E 6th St. N Newton LLC
9. Resolution Setting the Time and Place to Conduct a Public Hearing to Consider and Ratify the Vacation of City Property
10. Resolution accepting completion of the Fairmeadows North Plat 7 Storm Sewer Relocation Project

11. Resolution levying assessments for costs of nuisance abatement and providing for the payment thereof (Schedule 23-05)
12. Resolution fixing the amounts to be assessed against individual private properties for the abatement of nuisance violations (Schedule No. 23-06)
13. Resolution approving distribution of 100 free daily pool passes based on financial need
14. Resolution accepting completion of the 2023 Stump Removal Project No. 2
15. Resolution approving Engineering Design Services Agreement for the 1st Ave E (Hwy 6) Traffic Signal Upgrades Project
16. Resolution accepting completion of the 2023 Sidewalk Improvement Project
17. Approve Bills

Public Hearing

18. Public Hearing on a Resolution Approving the Final Plat for Stelpflug Addition in the City of Newton, Jasper County, Iowa
 - Stelpflug Addition is a 7-lot residential subdivision located in the 1400 block of 1st Avenue West and is a replatting of 6 lots and vacated right-of-way from Leepers Highland Addition.
 - At their meeting on June 20, 2023, the Planning and Zoning Commission recommended approval of the subdivision.
19. Resolution Approving the Final Plat of Stelpflug Addition, in the City of Newton, Jasper County, Iowa
20. Public Hearing on a Resolution Approving the Preliminary Plat for Bowen Acres Subdivision, Located in Unincorporated Jasper County, but within 2-miles of the City of Newton Corporate Boundaries
 - Bowen Acres is a 6-lot rural residential subdivision located south of Newton and within the City's 2-mile Extra-Territorial Review Jurisdiction.
 - City review of the proposed subdivision is required.
 - The Planning and Zoning Commission found that the proposed subdivision is not in conflict with the City's subdivision code and recommended approval of Bowen Acres at their meeting on May 16, 2023.
21. Resolution Approving the Preliminary Plat for Bowen Acres Subdivision, Located in Unincorporated Jasper County, but within 2-miles of the City of Newton Corporate Boundaries

Ordinance

22. Third Consideration of an Ordinance vacating and disposing of the west 6 feet of the north-to-south street right-of-way of East 6th Street North located in the 1000 block, City of Newton, Jasper County, Iowa
 - The proposal is to vacate the west 6 feet of the East 6th Street North street right-of-way and attach it to the two abutting properties on the west side.

- At their meeting on May 2, 2023, the Planning and Zoning Commission recommended approval of the vacation.

23. 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 in the 1100 block of South Fifth Avenue West

- The City received safety concerns regarding parking in the 1100 block of S 5th Ave W. This roadway is 26 feet wide and when a vehicle is parked on S 5th Ave W near the intersection of W 12th St S a safety hazard is created.
- The Traffic Safety Committee reviewed the situation and recommended restricting parking on the south side of S 5th Ave W - 69ft. east of W 12th St S. Surveys of adjoining properties were conducted with 6 residents in favor and 0 opposed of the recommended changes.

24. Third Consideration of an Ordinance amending and updating the Code of Ordinances, City of Newton, Iowa, Title XI: Business Regulations, Chapter 111, "PEDDLERS, SOLICITORS, TRANSIENT MERCHANTS, AND MOBILE FOOD UNITS"

- The purpose of Chapter 111 is to protect the residents of the city by requiring the registration and licensing of any person engaging in peddling, soliciting, transient merchants, and mobile food units in the city.
- The Ordinance would modify the premise permit held by property owners by removing the annual renewal unless there are changes to the site or building(s) on the property.

25. Second Consideration of an Ordinance Amending the Code of Ordinances, City of Newton, Iowa, 2016, Title XV Land Usage, by Rescinding Chapter 159 Commercial Business/Property Code

- Ordinance 2389 dated December 7, 2020, established Chapter 159: Commercial Business/Property Code. This Ordinance would rescind Chapter 159: Commercial Business/Property Code from the Code of Ordinances, City of Newton, Iowa 2016.

Resolution

26. Resolution approving the Ambulance Billing Contract with EMS Management and Consultants

- A retirement of the ambulance billing specialist in the Fire Department has resulted in an opportunity to review business practices.
- Outsourcing of ambulance billing was determined to be appropriate for efficiency and effectiveness.

- Staff recommends awarding the contract to EMS Management and Consultants of Winston-Salem, North Carolina.

27. Resolution Accepting the Completed Public Improvements in the Stelpflug Addition Subdivision, in the City of Newton, Jasper County, Iowa

- With the approval of Stelpflug Addition, it is necessary for the City to accept the public improvements.
- The public improvements consist of the storm water drainage easement.

Staff Report

28. Stormwater Utility Capital Planning Study - Joe Grife, Public Works Director and Justin Nickel, Bolton & Menk

Mayor/Council Comments

29. Mayor and Council Comments

Closed Session

30. To Discuss Strategy with Counsel in Matters that Are Presently in Litigation or Where Litigation is Imminent Where its Disclosure Would be Likely to Prejudice or Disadvantage the Position of the Governmental Body in that Litigation, Which Discussions are Exempt from the Open Meetings Law Pursuant to the Provision of Section 21.5(1)(c), Code of Iowa 2022.

Return to Open Session

31. Return to Open Session

Closed Session

32. To Discuss Strategy with Counsel in Matters that Are Presently in Litigation or Where Litigation is Imminent Where its Disclosure Would be Likely to Prejudice or Disadvantage the Position of the Governmental Body in that Litigation, Which Discussions are Exempt from the Open Meetings Law Pursuant to the Provision of Section 21.5(1)(c), Code of Iowa 2022.

Return to Open Session

33. Return to Open Session

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