

NEWTON CITY COUNCIL MEETING MINUTES
JULY 10, 2023, 6:00 PM

Pledge

Pledge of Allegiance

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

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.

Citizen Participation

2. Michelle, a visitor from Chicago who has been working at the Newton Correctional over the last two years, spoke about all of the things she enjoys in Newton. She requested more coverage of Newton Correctional so people would know about what is going on there. She invited everyone to the next Board of Corrections meeting on Friday Aug 4th at 10:00 a.m. Former resident Michael Merritt spoke regarding open record request concerns.

Consent Agenda

Moved by Trotter, seconded by Ervin to approve consent agenda items 3-17. AYES: Six. NAYS: None. Consent Agenda was adopted.

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)
Resolution 2023-178 adopted.
7. Resolution Setting Public Hearing for sale 909 East 7th Street North
Resolution 2023-179 adopted.
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
Resolution 2023-180 adopted.
9. Resolution Setting the Time and Place to Conduct a Public Hearing to Consider and Ratify the Vacation of City Property
Resolution 2023-181 adopted.
10. Resolution accepting completion of the Fairmeadows North Plat 7 Storm Sewer Relocation Project
Resolution 2023-182 adopted.
11. Resolution levying assessments for costs of nuisance abatement and providing for the payment thereof (Schedule 23-05)
Resolution 2023-183 adopted.
12. Resolution fixing the amounts to be assessed against individual private properties for the abatement of nuisance violations (Schedule No. 23-06)
Resolution 2023-184 adopted.
13. Resolution approving distribution of 100 free daily pool passes based on financial need
Resolution 2023-185 adopted.
14. Resolution accepting completion of the 2023 Stump Removal Project No. 2
Resolution 2023-186 adopted.
15. Resolution approving Engineering Design Services Agreement for the 1st Ave E (Hwy 6) Traffic Signal Upgrades Project

Resolution 2023-187 adopted.

16. Resolution accepting completion of the 2023 Sidewalk Improvement Project
Resolution 2023-188 adopted.

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
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 Ervin, seconded by Hallam to close the public hearing. AYES: Six. NAYS: None. The public hearing was closed.
19. Resolution Approving the Final Plat of Stelpflug Addition, in the City of Newton, Jasper County, Iowa
Moved by Ervin, seconded by Dalton to adopt the Resolution. AYES: Six. NAYS: None. Resolution 2023-189 adopted.
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
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 Wade, seconded by Trotter to close the public hearing. AYES: Six. NAYS: None. The public hearing was closed.
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
Moved by George, seconded by Dalton to adopt the Resolution. AYES: Six. NAYS: None. Resolution 2023-190 adopted.

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
Moved by Dalton, seconded by George to approve the third consideration of the Ordinance. AYES: Six. NAYS: None. Third Consideration of the Ordinance was approved. Moved by George, seconded by Dalton, to adopt the Ordinance. AYES: Six. NAYS: None. Ordinance 2432 was adopted.
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
Moved by Wade, seconded by Ervin to approve the third consideration of the Ordinance. AYES: Six. NAYS: None. Third Consideration of the Ordinance was approved. Moved by Wade, seconded by Hallam, to adopt the Ordinance. AYES: Six. NAYS: None. Ordinance 2433 was adopted.
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"
Moved by Ervin, seconded by Hallam to approve the third consideration of the Ordinance. AYES: Six. NAYS: None. Third Consideration of the Ordinance was approved. Moved by Ervin, seconded by Hallam, to adopt the Ordinance. AYES: Six. NAYS: None. Ordinance 2434 was adopted.
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
Moved by Wade, seconded by Hallam to approve the second consideration of the Ordinance. Council discussion ensued regarding compliance, public safety, curb appeal, the Fire Marshal's responsibilities and budgeting. AYES: Five. NAYS: George. Second Consideration of the Ordinance was approved.

Resolution

26. Resolution approving the Ambulance Billing Contract with EMS Management and Consultants
Moved by Hallam, seconded by Ervin to adopt the Resolution. AYES: Six. NAYS: None. Resolution 2023-191 adopted.

27. Resolution Accepting the Completed Public Improvements in the Stelpflug Addition Subdivision, in the City of Newton, Jasper County, Iowa
Moved by Dalton, seconded by Hallam to adopt the Resolution. AYES: Six. NAYS: None. Resolution 2023-192 adopted.

Staff Report

28. Stormwater Utility Capital Planning Study - Joe Grife, Public Works Director and Justin Nickel, Bolton & Menk
Fee collection began on January 1st, 2021 with an ERU rate of \$4. The current rate as of July 1st is \$4.50. The current balance is approximately \$450,000 with \$350,000 earmarked for W 4th St S improvements coming up. Bolton & Menk conducted a study to identify priority capital projects that need addressed. We received cost estimates on 5 projects throughout the city estimated at \$16.96 Million.

Mayor/Council Comments

29. Mayor and Council Comments
Mayor sorry he was not able to attend the July 4th celebration due to illness. It sounded like everything was well attended and the fireworks were good. Ervin complimented the police force for doing a great job with their efforts. Ervin asked for citizens to volunteer to help with Ragbrai at newtonragbrai.com. The Mayor spoke about the route and indicated that residents and businesses that need to will be able to get to their properties by reporting to the nearest intersection on a case by case basis, keeping safety in mind. There will be a fairly hard close from 10-12 am, with some exceptions. The rest of the day there will still be some form of soft closure but encouraging motorists to avoid 1st avenue.

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.
At 7:26 p.m., it was moved by Wade, seconded by Trotter to go into a closed session. AYES: Six. NAYS: None. Motion carried.

Return to Open Session

31. Return to Open Session
Council returned to open session at 7:38 P.M. with all members present.

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.
At 7:38 p.m., it was moved by Trotter, seconded by Ervin to go into a closed session. AYES: Six. NAYS: None. Motion carried.

Return to Open Session

33. Return to Open Session
Council returned to open session at 8:01 P.M. with all members present.

Adjourn

Moved by Wade, seconded by Trotter to adjourn the meeting at 8:01 P.M. Motion unanimously carried by voice vote.


Katrina Davis, City Clerk


Michael L. Hansen, Mayor

