

Agenda: Newton City Council

City Council Meeting

Council Chambers, 101 W 4th St S. or via Zoom
(<https://us02web.zoom.us/j/83564044015>), Join zoom via
phone: (call 312-626-6799 & enter ID # 83564044015),
Mediacom Channels: 12/85/121.12, Website Streaming:
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Meetings.

August 16, 2021 6:00 p.m.
Newton, Iowa 50208

You can participate in the meeting or you can comment on an agenda item by joining the Zoom meeting and raising your hand to be recognized (must remain on mute until recognized/via phone dial *9 (star 9), this will notify City staff that you have “raised your hand” for public comment), submitting via email to cityofnewton@newtongov.org before 5:00 PM the day of the meeting or, during the meeting, you can call 641-792-2787, extension 2007.

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|------------------------------|---|
| Pledge | Pledge of Allegiance |
| Call to Order | 1. Roll Call |
| Presentation | 2. Capitol II Theater – Dawn Bleeker, Owner |
| Citizen Participation | 3. This is the time of the meeting that a citizen may address the Council on matters that are included in the consent agenda or a matter that is not on the regular agenda. After being recognized by the Mayor, each person will be given three (3) minutes to speak. Comments and/or questions must be related to City polices or the provision of City services and shall not include derogatory statements or comments about any individual. Except in cases of legal emergency, the City Council cannot take formal action at the meeting, but may ask the City staff to research the matter or have the matter placed on a subsequent agenda. |
| Consent Agenda | 4. July 27, 2021 Special City Council Workshop Minutes
5. August 2, 2021 Regular City Council Meeting Minutes
6. Resolution appointing Miranda Caldwell to the Newton Park Board for a term expiring on December 31, 2023. (No Council Report)
7. Resolution appointing Mike Sell to serve on the Historic Preservation Commission for an unexpired term ending December 31, 2022. (No Council Report)
8. Resolution Fixing the Amounts to be assessed against individual private properties for the abatement of nuisance violations (Schedule No. 21-06). (Council Report 21-214)
9. Resolution accepting completion of the City of Newton 2021 Fence Installation Project. (Council Report 21-215)
10. Resolution approving an agreement for remediation oversight services with Terracon Consultants for the Former Manufactured Gas Plant Site 2021 Remediation Project. (Council Report 21-216)
11. Resolution accepting completion of the City of Newton Westwood Golf Course Clubhouse Roof Repairs Project. (Council Report 21-217) |

12. Resolution accepting completion of the City of Newton Woodland Park & Union Cemetery Roof Repairs Project. (Council Report 21-218)
13. Resolution awarding contract for the 2021 Streetscape Light Pole Refinishing Project. (Council Report 21-219)
14. Resolution approving a new, revised agreement between the City of Newton and Project AWAKE. (Council Report 21-220)
15. Resolution Setting a Date of Meeting at which it is proposed to approve a Development Agreement with Van Maanen Electric, Inc., Including Annual Appropriation Tax Increment Payments. (Council Report 21-221)
16. Approve Bills

Public Hearing

17. Public Hearing on a Resolution awarding contract for the HMA Resurfacing Project 2021. (Council Report 21-222)
 - Various streets are in need of resurfacing. The conditions have deteriorated over the last 33-38 years with cracks and surface imperfections. Staff identified these pavement sections as needing asphalt milling and resurfacing during the recently completed budgeting process.
 - Construction plans and specifications for the HMA Resurfacing Project 2021 were placed out for bid. In-Roads, LLC Des Moines, IA was the lowest responsive, responsible bidder at \$1,152,823.86.
18. Resolution awarding contract for the HMA Resurfacing Project 2021. (Council Report 21-222)
19. Public Hearing on a Resolution to Approve Urban Renewal Plan Amendment for the Southwest Newton Economic Development Area. (Council Report 21-223)
 - The City Council has created the Southwest Urban Renewal Area and approved an urban renewal plan for the Area. Chapter 403 of the Code of Iowa requires that, before a city approves any new urban renewal project within an urban renewal area, a city must amend the existing Urban Renewal Plan.
 - An amendment to the Plan has been prepared which consists of the West 19th Street South reconstruction project, the Rocky Marciano sculpture lighting project, and the 2022-2025 administrative and support program.
20. Resolution to Approve Urban Renewal Plan Amendment for the Southwest Newton Economic Development Area. (Council Report 21-223)
21. Public Hearing on a Resolution to Approve Urban Renewal Plan Amendment for the East-Mart Economic Development Area. (Council Report 21-224)
 - The City Council has created the East-Mart Urban Renewal Area and approved an urban renewal plan for the Area. Chapter 403 of the Code of Iowa requires that, before a city approves any new urban renewal project within an urban renewal area, a city must amend the existing Urban Renewal Plan.
 - An amendment to the Plan has been prepared which consists of the reconstruction of Iowa Speedway Drive, TIF tax rebates to Van Maanen Electric, Inc, and the administrative and support program.

22. Resolution to Approve Urban Renewal Plan Amendment for the East-Mart Economic Development Area. (Council Report 21-224)
23. Public Hearing on a Resolution approving amendment to the City-Wide Urban Revitalization Plan. (Council Report 21-225)
 - Amending the City-wide Urban Revitalization Plan from time to time ensures that the document continues to align with City goals and available resources for encouraging economic development.
 - The proposed amendments include qualifying single family projects eligibility to owner-occupied properties and removing industrial and multi-family tax abatement as redevelopment properties for those uses are or could easily be added to an Urban Renewal area.
24. Resolution approving amendment to the City-Wide Urban Revitalization Plan. (Council Report 21-225)
25. Resolution approving the granting of D&D 2.0 Grant Funds for the rehabilitation of a historic home at 500 1st Avenue West. (Council Report 21-226)
 - CPS Consulting LLC has purchased 500 1st Avenue West. The home will be rehabilitated to provide affordable rental units with improved curb appeal along a primary corridor.
 - At their meeting on July 1, 2021, the Newton Building Trades Board recommended approval of a grant in an amount not to exceed \$17,636.00 provided a 1:1 match is met in each program area.
26. Resolution creating Civil Engineering Tech Trainee classification in City of Newton pay Matrix. (Council Report 21-227)
 - Since the reorganization of Public Works and Community Services in 2019, Public Works has been trying to fill a vacant Civil Engineering Tech 1 position. To date we have not received any qualified candidates. There is a current employee working for the City of Newton Public Works that has expressed a desire to become a Civil Engineering Tech and has enrolled in the Civil Engineering Tech program beginning this fall.
 - The proposal is to create an Engineering Tech Trainee position and place this employee in this position, until he completes his degree, at which point he would become an Engineering Tech 1.

Resolutions

Staff Report

27. Snow Removal Policy Update/Derecho Update – Jody Rhone, Public Works Director

Mayor/Council Comments

28.

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.

SPECIAL CITY COUNCIL WORKSHOP MINUTES
JULY 27, 2021, 6:19 P.M.
JASPER COUNTY EMERGENCY OPERATIONS CENTER

The City Council of Newton, Iowa met in special session at 6:19 P.M. on the above date in the Jasper County Emergency Operations Center at 1030 W 2nd Street South. Mayor Hansen presided. Present Council Members: Hallam, Stonner, Trotter, Mullan. Absent: George Ervin.

Police Chief Rob Burdess presented a workshop on the response and management of Police use of force incidents. Council was educated on their role in a use of force situation and participated in a virtual reality situation.

Moved by Stonner, seconded by Mullan to adjourn the meeting at 8:25 P.M. Motion unanimously carried by voice vote.

Michael L. Hansen, Mayor

Katrina Davis, City Clerk

REGULAR CITY COUNCIL MEETING MINUTES
AUGUST 02, 2021, 6:00 P.M.
CITY COUNCIL CHAMBERS

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 and via an electronic meeting (pursuant to Iowa Code section 21.8) because a meeting in person is impossible or impractical due to concerns for the health and safety of council members, staff, and the public due to COVID-19. Mayor Hansen presided. Present Council Members: Hallam, Stonner, George, Ervin, Trotter, Mullan. Absent: None.

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

Melissa Butler, Communications Director for Progress Industries, presented to the Council regarding their services.

During citizen participation Jerry Kelley, 611 S 5th Ave W, spoke against allowing private fireworks to continue in city limits.

Moved by Stonner, seconded by George to approve consent agenda items 4-11.

4. July 19, 2021 Regular City Council Meeting Minutes
5. Resolution awarding contract for the 2021 Streetscape Lighting – N 2nd Ave W & W 3rd St N Project. Resolution 2021-200 adopted.
6. Resolution awarding contract for the Downtown Newton Lighting Improvements Phase 2 Project. Resolution 2021-201 adopted.
7. Resolution ordering bids, approving plans, specifications and form of contract and notice to bidders, and ordering clerk to publish notice and fixing a date for receiving same, and for a public hearing on plans, specifications, form of contract and estimate of costs for the Former Manufactured Gas Plant Site 2021 Remediation Project. Resolution 2021-202 adopted.
8. Resolution setting a public hearing and inviting proposals for the sale of property at 702 East 4th Street North and 416 North 7th Avenue East in Newton. Resolution 2021-203 adopted.
9. Resolution approving amending Landfill 28-E agreement with Landfill Associate members. (Resolution 2021-204 adopted.
10. Resolution setting public hearing and authorizing publication of notice on City of Newton City-Wide Urban Revitalization Plan Revision. Resolution 2021-205 adopted.
11. Approve Bills

AYES: Six. NAYS: None. Consent agenda items approved.

Mayor Hansen stated that this is the time and place for a Public Hearing on a Resolution Approving Development Agreement with CRH Properties LLC, Authorizing Annual Appropriation Tax Increment Payments and Pledging Certain Tax Increment Revenues to the Payment of the Agreement. There were no written comments. Moved by Trotter, seconded by Hallam, to close the public hearing. AYES: Six. NAYS: None. The public hearing was closed. Moved by Ervin, seconded by Trotter to adopt the Resolution. AYES: Six. NAYS: None. Resolution 2021-206 adopted.

Mayor Hansen stated that this is the time and place for a Public Hearing on a Resolution Approving Development Agreement with Cindy Rogers-Sell, Authorizing Annual Appropriation Tax Increment Payments and Pledging Certain Tax Increment Revenues to the Payment of the Agreement. There were no written comments. Moved by Mullan, seconded by Stonner, to close the public hearing. AYES: Six. NAYS: None. The public hearing was closed. Moved by Trotter, seconded by George to adopt the resolutions. AYES: Six. NAYS: None. Resolution 2021-207 adopted.

Moved by George, seconded by Mullan to approve a Resolution approving extension and amendment to the Newton Housing Initiative Single Family Home Construction Incentive Programs through December 31, 2023. Jon Dunwell, 912 S 11 Ave W, asked about the movement of single family homes in Newton. Chambers, Director of Community Development stated in approximately 2011 there were zero single family home builds and through the comprehensive plan they realized they needed to jump start home builds. Since that time 50 new homes were built once plan was adopted. AYES: Six. NAYS: None. Resolution 2021-208 adopted.

Katrina Davis, Administrative Services Manager & Lisa Frasier Finance Officer, provided an Administration review over Admin Services and Finance. Frasier led council through Continuing Disclosure training as well.

During Mayor/Council comments Mayor Hansen indicated that he is bringing back Coffee with the Mayor on Saturday between 10:00 a.m. to 11:00 a.m. at the Library and would like two council members to attend with him for each one. Mullan encouraged council to attend the Iowa League of Cities annual conference. Hallam reminded everyone about the last concert in Maytag Park and announced that there will be no fee for Jasper County residence this year at the Jasper County Historical Museum. Ervin announced that United Way and Our Savior Lutheran Church are hosting a School Supplies Drive at Maytag Park Thursday evening.

Moved by Hallam, seconded by Trotter to adjourn the meeting at 6:54 P.M. Motion unanimously carried by voice vote.

Michael L. Hansen, Mayor

Shawnda Abbas, Deputy City Clerk

RESOLUTION 2021- _____

RESOLUTION APPOINTING MIRANDA CALDWELL TO THE NEWTON PARK BOARD FOR A TERM EXPIRING ON DECEMBER 31, 2023.

WHEREAS, the Newton Park Board currently has one unfilled position due to an existing board member moving away from Newton; and

WHEREAS, Miranda Caldwell has expressed interest in the Park Board, has been interviewed by the Community Services Director, and is qualified to serve on the Park Board.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Newton, Iowa, that Miranda Caldwell is hereby appointed to the Park Board effective immediately for the remainder of a 3-year term expiring on December 31, 2023.

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PASSED this _____ day of August, 2021.

APPROVED this _____ day of August, 2021.

Michael L. Hansen, Mayor

ATTEST:

Katrina Davis, City Clerk

RESOLUTION NO. 2021 – _____

**RESOLUTION APPOINTING MIKE SELL TO SERVE ON THE
HISTORIC PRESERVATION COMMISSION FOR AN
UNEXPIRED TERM ENDING DECEMBER 31, 2022**

WHEREAS, Mike Sell, 5427 Highway T-12 N, Newton, IA 50208, has expressed interest in serving on the Newton Historic Preservation Commission and is qualified to serve; and

WHEREAS, the appointment of Mike Sell, a man, on to the Historic Preservation Commission is in compliance with the gender balance requirements under 69.16A of State of Iowa Code;

NOW THEREFORE, BE IT RESOLVED by the City Council of Newton, Iowa, that Mike Sell is hereby appointed to the Historic Preservation Commission for an unexpired term ending December 31, 2022.

PASSED this _____ day of August 2021.

APPROVED this _____ day of August 2021.

Michael L. Hansen, Mayor

ATTEST:

Katrina Davis, City Clerk

City of Newton Council Report



Item:

Resolution Fixing the Amounts to be assessed against individual private properties for the abatement of nuisance violations (Schedule No. 21-06).

Report Number: 21-214

Date:

August 16, 2021

Summary:

The City of Newton abated some nuisances, such as tall grass/weeds, trash, or snow. These costs remain unpaid by the property owner(s) and should be assessed to the property taxes.

Lead Department:

Community Services

Recommendation:

Approve

Financial Impact:

Cost Recovery: \$13,155.41

Background:

The City continues to work towards better curb appeal and improved aesthetics within the community. The City abated violations that remained non-compliant after the initial warning period.

The attached schedule lists owner, parcel number, address, amount to be assessed, date work was completed, property legal description, and property valuation.

Recommendation:

City Staff recommends approval of the Resolution fixing the amounts to be assessed against individual private properties for the abatement of nuisance violations.

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

Matt Muckler
City Administrator

RESOLUTION 2021- _____

**RESOLUTION FIXING THE AMOUNTS TO BE ASSESSED AGAINST INDIVIDUAL
PRIVATE PROPERTIES FOR THE ABATEMENT OF NUISANCE VIOLATIONS
(SCHEDULE NO. 21-06)**

WHEREAS, the City of Newton has abated nuisance violations at the addresses as found in Schedule No. 21-06: Assessment for the Expenses for Nuisance Abatement; and

WHEREAS, the City of Newton has maintained a report of the abatement costs for each individual property as found in Schedule 21-06: Assessment for the Expenses for Nuisance Abatement; and

WHEREAS, the expenses have been billed to the property owners and remain unpaid.

NOW THEREFORE, BE IT RESOLVED by the City Council of Newton, Iowa, that the Schedule 21-06: Assessment for the Expenses for Nuisance Abatement is approved.

NOW THEREFORE, BE IT FURTHER RESOLVED by the City Council of Newton, Iowa, that the City Clerk is hereby directed to prepare, sign, and file in the clerk's office the Schedule 21-06: Assessment for the Expenses for Nuisance Abatement.

PASSED this _____ day of August, 2021.

APPROVED this _____ day of August, 2021.

Michael L. Hansen, Mayor

ATTEST:

Katrina Davis, City Clerk

Schedule 21-06: Assessment for the Expenses for Nuisance Abatement

Deed/Contract Holder	Parcel Number	Property Address	City	Net Assessed Property Value	Abatement Fee	Admin. Fee	Total Amount Assessed	Legal	Date Abated
Amber Hull	827409015	818 N 9th Ave E	Newton	\$39,280	\$229.00	\$75.00	\$304.00	EDMUNDSON'S ADD E 1/2 LOT 5 BLK 11	6/1/2021
Farrell Properties Inc	834206019	732 1st Ave E	Newton	\$103,290	\$285.58	\$75.00	\$360.58	LEE'S SD LOT 3	5/26/2021
RC Homes LLC	1303102009	211 S 15 Ave W	Newton	\$63,200	\$120.00	\$75.00	\$195.00	GUTHRIE'S SD S 1/2 LOT 3 & E 94' OF W 3/4 OF N 1/2 LOT 3 BLK B	6/8/2021
RC Homes LLC	834162015	323 W 2nd St S	Newton	\$126,910	\$185.05	\$75.00	\$260.05	ORIGINAL PLAT LOT 13 OUTLOT 16	6/9/2021
Brenda Winchell	827153007	109 N 13th Ave W	Newton	\$74,790	\$70.00	\$75.00	\$145.00	HAMMER & BOYD'S SD LOT D	6/9/2021
RC Homes LLC	827477009	901 N 6th Ave E	Newton	\$53,570	\$60.00	\$100.00	\$160.00	LONG'S SD LOT 21	6/4/2021
Farrell Properties Inc	827428004	806 E 9th St N	Newton	\$46,660	\$60.00	\$75.00	\$135.00	EDMUNDSON'S ADD LOT 8 BLK 17	6/15/2021
Ronda Roush	827452003	728 E 6th St N	Newton	\$75,120	\$60.00	\$60.00	\$120.00	CLARK'S SD LOT 7	6/15/2021
RC Homes LLC	1303102009	211 S 15 Ave W	Newton	\$63,200	\$60.00	\$75.00	\$135.00	GUTHRIE'S SD S 1/2 LOT 3 & E 94' OF W 3/4 OF N 1/2 LOT 3 BLK B	6/19/2021
Harold Livengood	833453002	1100 Woodland Drive	Newton	\$211,260	\$60.00	\$75.00	\$135.00	ELM PARK AMENDED PLAT LOT 4 SECTION G EX E 20'	6/22/2021
Kevin Powell	826351015	709 E 12th St Pl N	Newton	\$88,960	\$60.00	\$100.00	\$160.00	EMERSON HOUGH PLACE LOT 3 BLK A	6/28/2021
Joleen Inman	827413006	802 E 8th St N	Newton	\$94,910	\$60.00	\$75.00	\$135.00	EDMUNDSON'S ADD LOT 7 BLK 18	6/21/2021
Amber Hull	827409015	818 N 9th Ave E	Newton	\$39,280	\$60.00	\$75.00	\$135.00	EDMUNDSON'S ADD E 1/2 LOT 5 BLK 11	6/30/2021
Terri McGinnis	835254010	306 E 20th St S	Newton	\$89,230	\$305.00	\$75.00	\$380.00	AURORA HEIGHTS SD LOT 27 BLK F	6/30/2021
Durritzgus 2003 Rev Trust	835151008	1337 1st Ave E	Newton	\$283,250	\$60.00	\$100.00	\$160.00	TRACT 100' X 200' IN NE COR OF LOT H SW NW	6/28/2021
Lindsay Maxwell Galankis	827153007	109 N 13th Ave W	Newton	\$74,790	\$70.00	\$75.00	\$145.00	HAMMER & BOYD'S SD LOT D	6/9/2021
RC Homes LLC	1303202009	1400 E 6th St S	Newton	\$23,830	\$459.25	\$75.00	\$534.25	LISTER'S ACRES LOT 22	6/18/2021
RC Homes LLC	1303202010	1404 E 6th St S	Newton	\$26,080	\$459.25	\$75.00	\$534.25	LISTER'S ACRES LOTS 27 & 30	6/18/2021
RC Homes LLC	1303202011	1500 E 6th St S	Newton	\$23,830	\$459.25	\$75.00	\$534.25	LISTER'S ACRES LOT 35	6/18/2021
Jeff Farrell	833209004	210 W 9th St N	Newton	\$105,720	\$318.40	\$75.00	\$393.40	EXLINE'S ADD N 64' LOTS 7-8 BLK 1	6/23/2021
Terri McGinnis	835254010	306 E 20th St S	Newton	\$89,230	\$1,286.00	\$75.00	\$1,361.00	AURORA HEIGHTS SD LOT 27 BLK F	6/17/2021
RC Homes LLC	1303102009	211 S 15 Ave W	Newton	\$63,200	\$588.00	\$75.00	\$663.00	GUTHRIE'S SD S 1/2 LOT 3 & E 94' OF W 3/4 OF N 1/2 LOT 3 BLK B	6/24/2021
Jamie Stephen & Lisa Coontz	827153013	1207 1st St N	Newton	\$14,790	\$80.00	\$75.00	\$155.00	MYER'S SD LOT 4 VIN #24858	6/28/2021
RC Homes LLC	1303202009	1400 E 6th St S	Newton	\$23,830	\$1,127.15	\$75.00	\$1,202.15	LISTER'S ACRES LOT 22	6/30/2021
RC Homes LLC	1303202010	1404 E 6th St S	Newton	\$26,080	\$1,127.15	\$75.00	\$1,202.15	LISTER'S ACRES LOTS 27 & 30	6/30/2021
RC Homes LLC	1303202011	1500 E 6th St S	Newton	\$23,830	\$1,127.15	\$75.00	\$1,202.15	LISTER'S ACRES LOT 35	6/30/2021
RC Homes LLC	827477009	901 N 6th Ave E	Newton	\$53,570	\$60.00	\$75.00	\$135.00	LONG'S SD LOT 21	7/13/2021
Blaise Land Holdings 19 LLC	834162015	323 W 2nd St S	Newton	\$126,910	\$60.00	\$75.00	\$135.00	ORIGINAL PLAT LOT 13 OUTLOT 16	7/13/2021
Sherry Stoner	833283010	623 S 4th Ave W	Newton	\$100,850	\$590.15	\$75.00	\$665.15	WEST NEWTON LOT G BLK D	7/8/2021
Brian Callison	826302004	900 E 12th St N	Newton	\$59,170	\$309.82	\$75.00	\$384.82	EMERSON HOUGH PLACE NO. 2 LOT 17 SD OF LOT 13 BLK	7/12/2021
Curtis Thorson	827403001	1030 E 7th St N	Newton	\$67,340	\$914.21	\$75.00	\$989.21	EDMUNDSON'S ADD LOT C BLK 5	7/13/2021
Total							\$13,155.41		

City of Newton Council Report

**Item:**

Resolution accepting completion of the City of Newton 2021 Fence Installation Project

Report Number: 21-215

Date:

August 16, 2021

Summary:

Accept completion of a contract to install fencing at the City of Newton Public Works shop and Agnes-Patterson Park.

Lead Department:

Public Works

Financial Impact:

Council previously approved a contract for \$31,694.10 on July 19, 2021; and this action would accept the project and authorize payment of the retainage amount of \$1,607.51.

Recommendation:

Approve

Background:

With the relocation of Public Works, Community Development, and Community Services offices to Legacy Plaza; Public Works and Community Services maintenance operations will be sharing space in the former Public Works building. To provide enough secure storage area, a security fence is proposed to be installed along the west, south, and east perimeter of the property. In addition to the operations shop security fence, an additional fence at the southeast soccer field at Agnes-Patterson Park is also proposed. This fence would help keep soccer balls from rolling into the road ditch along E 31st St N.

City Council passed a resolution on April 19, 2021 awarding a contract to American Fence Company of Johnston, Iowa in the amount of \$31,694.10. The Public Works Director has signed the Statement of Completion Form stating that the project has been substantially completed in general compliance with the terms, conditions, and stipulations of said contract. The final contract amount, based on actual measured quantities of work completed and the issuance of one change order is \$32,150.23.

Recommendation:

City staff recommends accepting the completion of the City of Newton 2021 Fence Installation Project and authorizing the retainage amount of \$1,607.51 to be paid from 2021 bond to the contractor no sooner than 30 days after approval of this resolution should no claims be on file.

Matt Muckler
City Administrator

RESOLUTION 2021- _____

**RESOLUTION ACCEPTING COMPLETION OF THE CITY OF
NEWTON 2021 FENCE INSTALLATION PROJECT**

WHEREAS, with the relocation of Public Works, Community Development, and Community Services offices to Legacy Plaza; Public Works and Community Services maintenance operations will be sharing space in the former Public Works building; and

WHEREAS, to provide enough secure storage area, a security fence is proposed to be installed along the west, south, and east perimeter of the property; and

WHEREAS, in addition to the operations shop security fence, an additional fence at the southeast soccer field at Agnes-Patterson Park is also proposed. This fence would help keep soccer balls from rolling into the road ditch along E 31st St N; and

WHEREAS, the City Council of the City of Newton awarded a contract to American Fence Company of Johnston, Iowa in the amount of \$31,694.10 on July 6, 2021 for the City of Newton 2021 Fence Installation Project; and

WHEREAS, American Fence Company has completed the work, and the Public Works Director has signed the Statement of Completion Form stating that the project has been substantially completed in general compliance with the terms, conditions, and stipulations of said contract.

WHEREAS, the final contract amount based on actual measured quantities of work completed and the issuance of one change order is \$32,150.23 which will be paid utilizing 2020A and 2021 Bond Funds.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Newton, Iowa that the City of Newton hereby accepts completion of the project, and authorizes the Community Services Director to execute payment of the retainer in the amount of \$1,607.51 from 2021 bond to Procrafter's Roofing no sooner than 30 days after approval of this resolution, should no claims be on file.

PASSED this _____ day of August, 2021.

APPROVED this _____ day of August, 2021.

Michael L. Hansen, Mayor

ATTEST:

Katrina Davis, City Clerk

City of Newton Council Report

**Item:**

Resolution approving an agreement for remediation oversight services with Terracon Consultants for the Former Manufactured Gas Plant Site 2021 Remediation Project.

Report Number: 21-216**Date:**

August 16, 2021

Summary:

Accept agreement with Terracon for complete oversight of the contracted work, assuring that it is completed in compliance with the Iowa DNR's rules and regulations.

Lead Department:

Community Services

Recommendation:

Approve

Financial Impact:

Anticipated cost of \$80,000 to be paid using existing 2019, 2020, and 2021 bond funds.

Background:

The City of Newton operated a manufactured gas plant near W 3rd St N and N 6th Ave W from 1911 to 1948. The manufactured gas plant used a gasometer, which is a large (30,000 cubic foot) underground vault. A byproduct from the manufactured gas process was a coal tar material. Records indicate that a small percentage of this coal tar material was disposed on site. Portions of the gas plant building were removed in the 1950's. The relief holder and gasometer remain underground on the site to this day.

Following numerous rounds of testing on site and reports to the Iowa DNR since 1991, two main remediation projects remain to be completed in our efforts to comply with the DNR. Terracon Consultants, on behalf of the City, submitted a proposal to the DNR on December 31, 2019 to remediate both structures under one contract in a manner estimated to save the City of Newton several hundred thousand dollars in costs. The DNR approved this method and requested a revised work plan which Terracon submitted to the DNR on May 27, 2020. This plan requires the project's remediation and excavation activities to be completed by December 31, 2022.

Plans and specifications for the Former Manufactured Gas Plant Site 2021 Remediation Project were prepared by Terracon Consultants and Community Services staff; and were placed out to bid following City Council action on August 2, 2021. This project includes the remediation, per Iowa DNR requirements, of the former gasometer and relief holder still buried at the site.

As part of the contracted remediation work, oversight by Terracon Consultants is needed to be sure that the contractor completes said work in compliance with the Iowa Dept. of Natural Resources' requirements. Included in the proposed oversight work are the following items:

- Project meetings and coordination with contractor
- Project status updates to the City
- Directing material excavation and segregation
- Observing waste removal activities
- Characterization sample collection and lab analysis of treated/removed materials and generated wastewater for chemicals of concerns (COC) as-needed
- Tracking waste hauling and disposal
- Excavation field screening including visual and olfactory observations and organic vapor (PID) screening including observations of gross contamination
- Excavation confirmation sampling and laboratory analysis for COC's as-needed
- Observation of backfilling/compaction operations, compaction testing, and site restoration
- Availability of on-call services should additional environmental conditions be discovered
- Final report generation for submittal to the Iowa DNR

Due to the complexity and specialized nature of this project, contracted oversight from Terracon is needed. The City does not have staff trained in the oversight of this work, or have anyone with experience with this type of project.

The anticipated oversight cost by Terracon of \$80,000, combined with the \$520,000 estimated cost of the contracted remediation work, is in line with staff's \$600,000 estimate prepared last winter during the FY-22 budgeting. The oversight costs will be paid using existing 2019, 2020, and 2021 bond funds.

Recommendation:

City staff recommends approval authorizing the Mayor to sign the agreement for remediation oversight services with Terracon Consultants of Des Moines, Iowa for the Former Manufactured Gas Plant Site 2021 Remediation Project.



Matt Muckler
City Administrator

RESOLUTION 2021- _____

**RESOLUTION APPROVING AN AGREEMENT FOR REMEDIATION
OVERSIGHT SERVICES WITH TERRACON CONSULTANTS FOR THE
FORMER MANUFACTURED GAS PLANT SITE 2021 REMEDIATION
PROJECT**

WHEREAS, The City of Newton operated a manufactured gas plant near W 3rd St N and N 6th Ave W from 1911 to 1948, with a small percentage of the coal tar byproduct from the manufactured gas process having been disposed on site; and

WHEREAS, the manufactured gas plant's relief holder and gasometer remain underground on the site to this day, with the Iowa DNR requiring these two structures to be removed or remediated; and

WHEREAS, Terracon Consultants, on behalf of the City, submitted a proposal to the Iowa DNR on December 31, 2019 to remediate both structures under one contract in a manner estimated to save the City of Newton several hundred thousand dollars in costs; and

WHEREAS, the DNR approved this method, and required the project's remediation and excavation activities to be completed by December 31, 2022; and

WHEREAS, plans and specifications for the Former Manufactured Gas Plant Site 2021 Remediation Project were prepared by Terracon Consultants and Community Services staff; and were placed out to bid following City Council action on August 2, 2021; and

WHEREAS, oversight by Terracon Consultants is needed on the following items to be sure that the contractor completes said work in compliance with the Iowa Dept. of Natural Resources' requirements:

- Project meetings and coordination with contractor
- Project status updates to the City
- Directing material excavation and segregation
- Observing waste removal activities
- Characterization sample collection and lab analysis of treated/removed materials and generated wastewater for chemicals of concerns (COC) as-needed
- Tracking waste hauling and disposal
- Excavation field screening including visual and olfactory observations and organic vapor (PID) screening including observations of gross contamination
- Excavation confirmation sampling and laboratory analysis for COC's as-needed
- Observation of backfilling/compaction operations, compaction testing, and site restoration
- Availability of on-call services should additional environmental conditions be discovered
- Final report generation for submittal to the Iowa DNR; and

WHEREAS, due to the complexity and specialized nature of this project, contracted oversight from Terracon is needed as the City does not have staff trained in the oversight of this work, or have anyone with experience with this type of project; and

WHEREAS, the anticipated oversight cost by Terracon of \$80,000, combined with the \$520,000 estimated cost of the contracted remediation work, is in line with staff's \$600,000 estimate prepared last winter during the FY-22 budgeting; and

WHEREAS, the oversight costs will be paid using existing 2019, 2020, and 2021 bond funds.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Newton, Iowa, that the Mayor is authorized to sign the agreement for remediation oversight services with Terracon Consultants of Des Moines, Iowa for the Former Manufactured Gas Plant Site 2021 Remediation Project.

BE IT FURTHER RESOLVED that the \$80,000 in anticipated costs for remediation oversight services provided by Terracon will be paid for using existing 2019, 2020, and 2021 bond funds

PASSED this _____ day of August, 2021.

APPROVED this _____ day of August, 2021.

Michael L. Hansen, Mayor

ATTEST:

Katrina Davis, City Clerk



July 29, 2021

City of Newton
403 West 4th Street North, Suite 501
Newton, Iowa 50208

Attn: Mr. Brian Laube
P: (641) 792-6622 ext. 2302
E: brianl@newtongov.org

RE: Proposal for Remediation Oversight Services

Former Newton Manufactured Gas Plant
518 West 3rd Street North, Newton, Iowa
Terracon Project No. 08197090

Dear Mr. Laube:

Terracon Consultants, Inc. (Terracon) appreciates the opportunity to submit this proposal to provide remediation oversight services at the above referenced site. Terracon has conducted thousands of environmental service projects across the country. In addition, Terracon has extensive experience performing geotechnical and construction testing services. An outline of the project, Terracon's proposed scope of services, including schedule and compensation are provided in the following sections.

1.0 PROJECT INFORMATION

A manufactured gas plant (MGP) operated on the site until the 1950s according to available records. Assessment of the site has indicated soil and groundwater impacts consistent with MGP operations. Currently, the site is enrolled in the Iowa Department of Natural Resources (IDNR) Land Recycling Program (LRP). The Iowa Department of Natural Resources (IDNR) has requested that the relief holder, gasometer, and their contents and gross contamination in the vicinity of the relief holder and gasometer be removed. A revised Remediation Work Plan (Terracon Project No. 08197090, dated May 27, 2020) was approved by the IDNR in correspondence dated July 10, 2020.

Terracon provided estimated fees for remediation oversight of the relief holder only in a previous proposal (Terracon Proposal No. P08197090, dated April 10, 2019). However, the scope has since been adjusted to remediate the relief holder and gasometer together rather than separately at the City's request. Furthermore, characterization of the relief holder contents and exterior soils has also been conducted since the original proposal as well as



Terracon Consultants Inc., 600 SW Seventh St. Suite M Des Moines, IA 50309
P 515-244-3184 F 515-244-5249 terracon.com

Environmental



Facilities



Geotechnical



Materials

Proposal for Remediation Oversight Services

Former Newton MGP ■ Newton, Iowa

July 29, 2021 ■ Terracon Project No. 08197090



preparation of bid documents and project management by Terracon. This proposal presents estimated fees for future project management activities including the remaining oversight of the combined remediation activities, associated laboratory testing, and other activities as requested by the City related to the MGP remediation.

2.0 SCOPE OF SERVICES

Terracon has a 100% commitment to the safety of all its employees. As such, and in accordance with our Incident and Injury Free® safety culture, Terracon will generate a project safety plan for use by our personnel and/or subcontractors during field services. Prior to commencement of on-site activities, Terracon will hold a meeting to review health and safety needs for this specific project. At this time, we anticipate performing fieldwork in a United States Environmental Protection Agency (USEPA) Level D work uniform consisting of hard hats, safety glasses, protective gloves, and steel-toed boots. It may become necessary to upgrade this level of protection, at additional cost, during sampling activities in the event that petroleum or chemical constituents are encountered in soils or groundwater that present an increased risk for personal exposure. Adherence to local, state, and federal safety regulations will be the responsibility of the selected contractor.

The following sections will present Terracon's approach to meeting client request.

2.1 Project Management

As noted previously, Terracon has obtained acceptance from the IDNR for the Remediation Work Plan and prepared bid documents for the project. Additionally, Terracon has worked with the City Landfill to obtain preliminary acceptance of the generated solid waste materials based on the characterization sampling completed to date. Future activities may include interfacing with the City selected contractor, the IDNR; and/or other City representatives to assist the City with disposal activities and overall project coordination. Permitting with the landfill is not anticipated; however, further discussions with the City Landfill is likely for formal acceptance of excavated and/or treated solid waste. Additionally, discussions with the City or other disposal location may be necessary for acceptance of possible generated wastewater and/or dewatering fluids discharge.

Other services may include, but not be limited to, project management; meetings with the City, qualified contractors, and/or selected contractor; facilitating project schedules; and interfacing with the IDNR and public officials.

Proposal for Remediation Oversight Services

Former Newton MGP ■ Newton, Iowa

July 29, 2021 ■ Terracon Project No. 08197090



2.2 Remediation Oversight Services

Terracon will provide onsite services during the remediation activities including contractor coordination. Terracon's onsite remediation oversight services will include, but may not be limited to:

- n Conducting a project kick-off meeting;
- n Providing project status updates to the City;
- n Directing material excavation and segregation;
- n Observing waste removal activities;
- n Characterization sample collection and laboratory analysis of removed/treated material and generated wastewater for chemicals of concern (COCs) as needed;
- n Tracking waste hauling and disposal;
- n Excavation field screening including visual and olfactory observations and organic vapor (PID) screening including observations of gross contamination;
- n Excavation confirmation sampling and laboratory analyses for COCs as needed; and
- n Observing backfilling/compaction operations, compaction testing, and site restoration.

Terracon will also be available on an on-call basis for further services should additional environmental conditions be discovered. Other services may include, but not be limited to, sample collection from dewatering fluids, ambient air sampling, etc. Terracon anticipates field services will be performed under safety Level D personal protective procedures.

2.3 Report Preparation

Following remediation activities, backfilling and site restoration, and receipt of waste disposal and laboratory documentation, Terracon will prepare a report describing and documenting site remediation activities for the City's review and approval. The report will include maps, photographs, field summaries, laboratory reports, waste manifests, weight tickets, and other pertinent documentation. If directed, Terracon will provide a copy of the final, City-approved report to the IDNR.

2.4 Schedule

The remediation activities are scheduled to commence no later than March 1, 2022 and achieve final completion by September 30, 2022. However, the City has not specified a start date and the project can commence after contracts are signed and submittals are approved pending approval by the City.

Proposal for Remediation Oversight Services

Former Newton MGP ■ Newton, Iowa

July 29, 2021 ■ Terracon Project No. 08197090



Terracon services will be initiated upon your notice to proceed and as requested by the City. In order to comply with the proposed schedule, the following items are **required** to be provided by the client at the time of notification to proceed in order to meet the client's required project completion date. Please include the following requested items along with the notification to proceed:

- n Right of entry to conduct the field services.
- n Notification of any restrictions or special requirements (such as safety) regarding accessing the site
- n A signed Supplement to Agreement for Services (Agreement) evidencing acceptance of this scope of services

2.5 General Comments

The findings and conclusions presented in the final report will be based on the site's utilization and the information collected as discussed in this proposal. Terracon's services will be performed in a manner consistent with generally accepted practices of the professional undertaken in similar studies in the same geographic area during the same period. Terracon makes no warranties, express or implied, regarding its services, findings, conclusions or recommendations. Please note that Terracon does not warrant the work of laboratories, regulatory agencies or other third parties supplying information used in the preparation of the report. Site remediation oversight services will be performed in accordance with the scope of work agreed with you, our client, as set forth in this proposal.

Findings, conclusions, and recommendations resulting from these services will be based upon information derived from on-site activities and other services performed under this scope of work; such information is subject to change over time. Certain indicators of the presence of hazardous substances, petroleum products, or other constituents may have been latent, inaccessible, unobservable, non-detectable, or not present during these services, and we cannot represent that the site contains no hazardous substances, toxic substances, petroleum products, or other latent conditions beyond those identified during this project. Subsurface conditions may vary from those encountered at specific borings or wells or during other surveys, tests, assessments, investigations or exploratory services; the data, interpretations, findings and our recommendations are based solely upon data obtained at the time and within the scope of these services.

3.0 COMPENSATION

Fees for services specific to this site and as presented in the scope of services of this proposal will be incurred on a time and materials basis based on Terracon's current fee schedule estimated at **\$80,000**. This estimate is in addition to the budget remaining from Terracon's April 10, 2019 proposal fee of approximately \$12,000 which covers bid letting services, review, Responsive ■ Resourceful ■ Reliable

Proposal for Remediation Oversight Services

Former Newton MGP ■ Newton, Iowa

July 29, 2021 ■ Terracon Project No. 08197090



and consultation prior to Contractor award. Laboratory and other subcontracted services will be incurred at cost plus 15% administrative mark up. Fees will not exceed this estimate without client notification and approval. Interim invoices will be submitted regularly and are due upon receipt. Invoices will reflect the units performed in accordance with the previous discussion and expressed per the current Terracon fee schedule.

If the assumptions or conditions specified in this proposal are not accurate or change during the project, the stated fee is subject to change. Please contact us immediately if you are aware of inaccuracies in these assumptions and conditions, so we may revise the proposal or fee.

Additions to the scope of work as presented in this proposal will be handled under a separate change order. If additional work is required outside the scope of this proposal in the future, a cost estimate will be provided to the City for authorization prior to commencement of additional work.

The City will select the awarded contractor and contract directly with them. Terracon fees do not include remediation contractor services. Terracon is not acting as the general contractor on the project, but will provide coordination of contractor services on behalf of the City, at the City's discretion.

4.0 AUTHORIZATION

We have attached our Agreement that is incorporated into this proposal and that the client must authorize to commence the project. This proposal is valid for 90 days from the date of this proposal.

We appreciate the opportunity to provide this proposal and look forward to continuing our work with the City on this project. If you have questions or comments regarding this proposal, please contact Jesse Nelson at (515) 244-3184 or via email at jesse.nelson@terracon.com.

Sincerely,

Terracon Consultants, Inc.

Jesse M. Nelson, REM, CGP
Senior Scientist

Dennis R. Sensenbrenner, PG
Senior Associate

Attachment: Supplement to Agreement for Services

SUPPLEMENT TO AGREEMENT FOR SERVICES**CHANGE TO
SCOPE OF SERVICES AND FEES**

This SUPPLEMENT to AGREEMENT FOR SERVICES to the original Agreement for Services (original Agreement dated 03/02/2010, Agreement reference number P08100106) is between City of Newton IA ("Client") and Terracon Consultants, Inc. ("Consultant") for additional or changed Services to be provided by Consultant for Client on the Project, as described in the Agreement for Services. This Supplement is incorporated into and part of the Agreement for Services.

1. **Scope of Services.** The scope of the additional or changed Services are described in the Scope of Services section of the Consultant's Supplemental Proposal, unless Services are otherwise described below or in Exhibit B to this Supplement (which section or exhibit are incorporated into the Supplement).

Please see Terracon proposal dated July 29, 2021 for Scope of Services.

2. **Compensation.** Client shall pay compensation for the additional or changed Services performed at the fees stated in the Supplemental Proposal unless fees are otherwise stated below or in Exhibit C to this Supplement (which section or exhibit are incorporated into the Supplement).

Please see Terracon proposal dated July 29, 2021 for Compensation.

All terms and conditions of the Agreement for Services shall continue in full force and effect. This Supplement is accepted and Consultant is authorized to proceed.

Consultant: Terracon Consultants, Inc.
By: _____ Date: 7/29/2021
Name/Title: Anita A Maher-Lewis / Department Manager I
Address: 600 SW 7th St, Ste M
Des Moines, IA 50309-4508
Phone: (515) 244-3184 Fax: (515) 244-5249
Email: Anita.Maher-Lewis@terracon.com

Client: City of Newton IA
By: _____ Date: _____
Name/Title: Brian Laube /
Address: 403 West 4th Street North, Suite 501
Newton, IA 50208-1926
Phone: (641) 792-6622 Fax: _____
Email: brianL@newtongov.org

City of Newton Council Report

**Item:**

Resolution accepting completion of the City of Newton Westwood Golf Course Clubhouse Roof Repairs Project

Report Number: 21-217

Date:

August 16, 2021

Summary:

Accept completion of a contract to replace shingles and complete repair roofs on the Westwood Golf Course Clubhouse.

Lead Department:

Community Services

Financial Impact:

Council previously approved a contract for \$17,999.00 on July 6, 2021; and this action would accept the project and authorize payment of the retainage amount of \$899.95.

Recommendation:

Approve

Background:

On August 10, 2020 the derecho storm caused substantial damage to the roof of the Westwood Golf Course Clubhouse. Roof damage included missing and damaged shingles, soffit, fascia, and sheeting.

City Council passed a resolution on July 6, 2021 awarding a contract to Procrafters Roofing of Allison, Iowa in the amount of \$17,999.00. The Community Services Director has signed the Statement of Completion Form stating that the project has been substantially completed in general compliance with the terms, conditions, and stipulations of said contract. The final contract amount, based on actual measured quantities of work completed is \$17,999.00.

Recommendation:

City staff recommends accepting the completion of the City of Newton Westwood Golf Course Clubhouse Roof Repairs Project and authorizing the retainage amount of \$899.95 to be paid to the contractor no sooner than 30 days after approval of this resolution should no claims be on file.

Matt Muckler
City Administrator

RESOLUTION 2021- _____

**RESOLUTION ACCEPTING COMPLETION OF THE CITY OF
NEWTON WESTWOOD GOLF COURSE CLUBHOUSE ROOF
REPAIRS PROJECT**

WHEREAS, on August 10, 2020 the derecho storm caused substantial damage to the roof of the Westwood Golf Course Clubhouse. Roof damage included missing and damaged shingles, soffit, fascia, and sheeting; and

WHEREAS, the City Council of the City of Newton awarded a contract to Procrafters Roofing of Allison, Iowa in the amount of \$17,999.00 on July 6, 2021 for the City of Newton Westwood Golf Course Clubhouse Roof Repairs Project; and

WHEREAS, Procrafters Roofing has completed the work, and the Community Services Director has signed the Statement of Completion Form stating that the project has been substantially completed in general compliance with the terms, conditions, and stipulations of said contract.

WHEREAS, the final contract amount based on actual measured quantities of work completed is \$17,999.00 which will be paid utilizing insurance payments from ICAP.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Newton, Iowa that the City of Newton hereby accepts completion of the project, and authorizes the Community Services Director to execute payment of the retainer in the amount of \$899.95 to Procrafters Roofing no sooner than 30 days after approval of this resolution, should no claims be on file.

PASSED this _____ day of August, 2021.

APPROVED this _____ day of August, 2021.

Michael L. Hansen, Mayor

ATTEST:

Katrina Davis, City Clerk

City of Newton Council Report

**Item:**

Resolution accepting completion of the City of Newton Woodland Park & Union Cemetery Roof Repairs Project

Report Number: 21-218

Date:

August 16, 2021

Summary:

Accept completion of a contract to replace shingles and repair roofs on two shelters in Woodland Park and the Union Cemetery Office & Shed.

Lead Department:

Community Services

Financial Impact:

Council previously approved a contract for \$15,593.20 on July 6, 2021; and this action would accept the project and authorize payment of the retainage amount of \$789.86.

Recommendation:

Approve

Background:

On August 10, 2020 the derecho storm caused substantial damage to the park shelters in Woodland Park, and the office and shed in Union Cemetery. Roof damage included damaged and missing shingles, soffit, fascia, and sheeting.

City Council passed a resolution on July 6, 2021 awarding a contract to Procrafters Roofing of Allison, Iowa in the amount of \$15,593.20. The Community Services Director has signed the Statement of Completion Form stating that the project has been substantially completed in general compliance with the terms, conditions, and stipulations of said contract. The final contract amount, based on actual measured quantities of work completed and the issuance of one change order is \$15,797.20.

Recommendation:

City staff recommends accepting the completion of the City of Newton Woodland Park & Union Cemetery Roof Repairs Project and authorizing the retainage amount of \$789.86 to be paid to the contractor no sooner than 30 days after approval of this resolution should no claims be on file.

Matt Muckler
City Administrator

RESOLUTION 2021- _____

**RESOLUTION ACCEPTING COMPLETION OF THE CITY OF
NEWTON WOODLAND PARK & UNION CEMETERY ROOF
REPAIRS PROJECT**

WHEREAS, on August 10, 2020 the derecho storm caused substantial damage to the park shelters in Woodland Park and the office and shed in Union Cemetery, with damage including missing shingles, soffit, fascia, and sheeting; and

WHEREAS, the City Council of the City of Newton awarded a contract to Procrafters Roofing of Allison, Iowa in the amount of \$15,593.20 on July 6, 2021 for the City of Newton Woodland Park & Union Cemetery Roof Repairs Project; and

WHEREAS, Procrafters Roofing has completed the work, and the Community Services Director has signed the Statement of Completion Form stating that the project has been substantially completed in general compliance with the terms, conditions, and stipulations of said contract.

WHEREAS, the final contract amount based on actual measured quantities of work completed and the issuance of one change order is \$15,797.20 which will be paid utilizing insurance payments from ICAP.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Newton, Iowa that the City of Newton hereby accepts completion of the project, and authorizes the Community Services Director to execute payment of the retainer in the amount of \$789.86 to Procrafters Roofing no sooner than 30 days after approval of this resolution, should no claims be on file.

PASSED this _____ day of August, 2021.

APPROVED this _____ day of August, 2021.

Michael L. Hansen, Mayor

ATTEST:

Katrina Davis, City Clerk

City of Newton Council Report

Item: Resolution awarding contract for the 2021 Streetscape Light Pole Refinishing Project.

Summary: Award contract to repaint 50 existing streetscape lights in downtown Newton.

Financial Impact: \$20,000.00 from North Central TIF.



Report Number: 21-219

Date: August 16, 2020

Lead Department: Public Works

Recommendation: Approve

Background:

Existing streetscape lights in the central business district are approaching 30 years old and have begun to show their age. This project would see 50 light poles power washed and repainted to improve their appearance. Engineers estimate for this project was \$18,750.00.

Separate from this contract Public Works Operations crews would convert these lamp fixtures to more efficient LED fixtures. This project is expected to be completed in phases over the next few years, completing approximately 50 streetscape lights per year.

The following submitted bid was received and opened on August 9, 2021:

<u>Company</u>	<u>Bid Price</u>
Pole Painting Plus, Inc. - Maple Lake, MN	\$20,000.00

The apparent low bidder is Pole Painting Plus Inc. of Maple Lake, MN in the amount of \$20,000.00. The completion date of the project is November 30, 2021. The project will be paid for utilizing 2021 North Central TIF bonds.

Recommendation:

Council awards the project to the low responsive, responsible bidder, Pole Painting Plus Inc. of Maple Lake, MN.

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

Matt Muckler
City Administrator

RESOLUTION NO. 2021-_____

**RESOLUTION AWARDING CONTRACT FOR THE
2021 STREETScape LIGHT POLE REFINISHING PROJECT**

WHEREAS, existing streetscape lights in the central business district are approaching 30 years old and have begun to show their age. This project would see 50 streetscape light poles power washed and repainted to improve their appearance, and

WHEREAS, sealed bids were received and opened on August 9, 2021; and

WHEREAS, City staff recommends that the City of Newton award a contract to Pole Painting Plus Inc. of Maple Lake, MN for the 2021 Streetscape Light Pole Refinishing Project based on the low responsive, responsible bid received in the amount of \$20,000.00 paid from 2021 North Central TIF bonds.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of Newton, Iowa, that the bid of Pole Painting Plus Inc. of Maple Lake, MN, in the amount of Twenty Thousand Dollars and Zero Cents (\$20,000.00) for the 2021 Streetscape Light Pole Refinishing Project, all as described in the plans and specifications, is hereby accepted, the same being the lowest bid received for said project.

BE IT FURTHER RESOLVED, by the City Council of the City of Newton, Iowa, that the Contract and Bond executed by Pole Painting Plus Inc. of Maple Lake, MN for the 2021 Streetscape Light Pole Refinishing Project as described by the plans and specifications filed in the office of the City Clerk, said contract to be signed by the Mayor and City Clerk on behalf of the City, be and the same are hereby approved.

PASSED this _____ day of August, 2021.

APPROVED this _____ day of August, 2021.

Michael L. Hansen, Mayor

ATTEST:

Katrina Davis, City Clerk

City of Newton Council Report

Item: Resolution approving a new, revised agreement between the City of Newton and Project AWAKE.

Summary: Approval of a revised partnership agreement listing responsibilities of both parties related to the Newton Arboretum and Krumm Center.

Financial Impact: Estimated annual costs in City labor less than \$500 for those items not already being done by the City.



Report Number: 21-220

Date: August 16, 2021

Lead Department:
Community Services

Recommendation: Approve

Background:

With the City of Newton parks office staff having left the Krumm Center at Agnes Patterson Park in 2017, City staff no longer utilized the offices there. Because of this, Project AWAKE and the City began discussions on what role each party would have in the future operations at the Krumm Center and the Newton Arboretum. On October 17, 2017 City Council approved a three year agreement with Project AWAKE that addressed a number of items including snow plowing, booking of facility rentals, occasional grounds maintenance assistance, and providing of points-of-contact for each party. On October 19, 2020 a new three year agreement was approved which addressed some additional minor items not included in the 2017 agreement.

Since the 2020 agreement was approved, the City's insurance carrier requested information on Project AWAKE's building situated on City property. Following that request, it was determined that the agreement between the City and Project AWAKE should include language on insurance liability. Staff has added said language to this proposed agreement, and Project AWAKE has reviewed and approved of the language. Approval of this agreement will extend the expiration out to three years from the date both parties have signed it.

Recommendation:

City Staff recommends approval of this new three-year agreement; with a provision to reopen the agreement to revisions prior to its expiration should both parties be in agreement.

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

Matt Muckler
City Administrator

RESOLUTION NO. 2021-_____

**RESOLUTION APPROVING AN AGREEMENT BETWEEN
THE CITY OF NEWTON AND PROJECT AWAKE**

WHEREAS, with the City of Newton parks office staff having left the Krumm Center at Agnes Patterson Park in 2017, City staff no longer utilized the offices there; and

WHEREAS, following that move Project AWAKE and the City began discussions on what role each party would have in the future operations at the Krumm Center and the Newton Arboretum; and

WHEREAS, on October 17, 2017 City Council approved a three year agreement with Project AWAKE that addressed a number of items including snow plowing, booking of facility rentals, occasional grounds maintenance assistance, and providing of points-of-contact for each party; and

WHEREAS, On October 19, 2020 a new three year agreement was approved which addressed some additional minor items not included in the 2017 agreement; and

WHEREAS, since the 2020 agreement was approved, the City's insurance carrier requested information on Project AWAKE's building situated on City property; and

WHEREAS, following that request, it was determined that the agreement between the City and Project AWAKE should include language on insurance liability; and

WHEREAS, Staff has added said language to this proposed agreement, Project AWAKE has reviewed and approved of the language; and approval of this agreement will extend the expiration out to three years from the date both parties have signed it; and

WHEREAS, City staff recommends that the City of Newton accept the terms of the proposed agreement and enter into said agreement.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of Newton, Iowa, that the updated three year partnership agreement between the City of Newton and Project AWAKE is hereby accepted.

BE IT FURTHER RESOLVED, by the City Council of the City of Newton, Iowa, that said agreement, filed in the office of the City Clerk, is to be signed by the Mayor on behalf of the City.

PASSED this _____ day of August, 2021.

APPROVED this _____ day of August, 2021.

Michael L. Hansen, Mayor

ATTEST:

Katrina Davis, City Clerk



City of Newton and Project AWAKE Partnership Agreement

The City of Newton is proud of the work Project AWAKE and its volunteers have done to develop and maintain the Newton Arboretum and Krumm Center. The time and labor that volunteers have invested into the Newton Arboretum are a testament to the service-minded citizens found within the community.

The City of Newton would like to continue the partnership with Project AWAKE to ensure the Newton Arboretum remains an asset to the community's park system as well as an attractive tourism destination. To assist Project AWAKE succeed in managing the Newton Arboretum, and to define the responsibilities of each party concerning Project AWAKE's Krumm Center building located on City of Newton property, both parties commit to the following:

1. Snow & Ice Removal:
 - a. The City will be responsible for removing snow from the Newton Arboretum parking lot and entrance road. Snow removal will occur as part of the Parks normal removal procedures and rounds, with Parks staff making a reasonable effort to clear said snow ahead of normal office hours should Project AWAKE have a full-time employee working there daily.
 - b. Project AWAKE will be responsible to clear snow and ice from sidewalks adjacent the parking lot and building. Project AWAKE will be responsible for the purchase and application of any needed ice melt, whether in the parking lot or on adjacent sidewalks.
2. Rental Assistance and Questions:
 - a. The City will handle all Krumm Center and gazebo rentals, and answer general questions related to the rental of the facility.
 - b. Project AWAKE will provide to the City monthly a schedule of available rental times along with periodic updates on rental policies, rules, and clean-up requirements should any revisions be made. Parties renting the Krumm Center will contact Project AWAKE if questions or problems arise during their rental.
 - c. Project AWAKE shall notify the City within 10 calendar days concerning the return of all rental deposit checks. Checks will be returned to renters by the City after 10 calendar days should the City not be directed to hold said check due to damages caused by the renter.
 - d. Project AWAKE shall provide a phone number for people to call with general questions (other than rental questions), and post detailed information on their website that answers said general questions, and not refer the public to call the City with these general questions.
 - e. Project AWAKE board members, employees, and other affiliates, shall be subject to the same rules, guidelines, and expectations when reserving the facility for their use. All reservations shall be made in the approved manner.

- f. During the term of this agreement, Project AWAKE shall work to implement an online registration system where renters do not need to contact the City.
- 3. Maintenance:
 - a. The City will assist Project AWAKE with occasional grounds maintenance needs including periodic tree removal, annual spraying, and small projects that may require the city's tractor or other equipment.
 - b. Project AWAKE will be responsible for the purchase of all fertilizers, weed killer, or other chemicals even if applied by the City. The City will provide an estimated cost ahead of all said purchases and applications.
 - c. Project AWAKE will be responsible for all other maintenance duties, whether indoors or outdoors, unless noted otherwise in this agreement.
- 4. Office Duties:
 - a. The City will assist with Project AWAKE's annual fundraising efforts by preparing and printing mailing labels, fundraising letters, and thank you letters. The City's assistance with these items, including thank you letters, will occur in bulk and be limited to one occurrence per quarter.
 - b. The creation of fundraising letters, application of mailing labels, envelope stuffing, database management, and periodic preparation and mailing of thank you letters will be done by Project AWAKE.
 - c. Project AWAKE shall provide letterhead, envelopes, stamps, and labels to the City for all projects that the City assists with.
- 5. Contact Information:
 - a. The City will provide Project AWAKE with a single point of contact for coordination of all items in this agreement.
 - b. Project AWAKE will provide three points of contact to the City; with said contact information to be provided to parties renting the facility should problems arise during said rentals (see Item 2 above). AWAKE board members, if not designated as the point of contact, shall not be contacting the City to direct work or request assistance.
 - c. Project AWAKE shall contact the City immediately should anything change or occur that could affect any aspect of rentals such as power outages, COVID-19 restrictions or similar situations, remodeling or building maintenance projects, changes in key card setup, etc.
- 6. Insurance Requirements:
 - a. Project AWAKE shall provide insurance coverage for the Krumm Center building, its contents, and any liability it may incur.
 - b. The City shall provide insurance coverage on any City-owned property or equipment stored inside or adjacent to the Krumm Center building, and for any liability it incurs.



7. Other Items:

- a. The City will be responsible for all state and American flags, including but not limited to raising and lowering to half-staff as required.
- b. The City will have free use of the facility, if needed, for periodic weekday or weeknight events or meetings, except on Fridays. No City use of the facility for said meetings or events will be allowed on weekends or holidays either.
- c. Project AWAKE shall provide to the City updated card access lists, and inform the City promptly should any changes need to be made.

The terms of this agreement shall be valid for three years after signature by the City. Revisions to this agreement may be made prior to the expiration of the agreement should both parties agree to said revisions.

Mayor's Signature_____

Date_____

Project AWAKE President_____

Date_____

City of Newton Council Report



Item: Resolution Setting a Date of Meeting at which it is proposed to approve a Development Agreement with Van Maanen Electric, Inc., Including Annual Appropriation Tax Increment Payments.

Summary: Setting a public hearing on September 7, 2021 to act upon a development agreement for 500 Iowa Speedway Drive.

Financial Impact:
No Financial Impact, only sets a Public Hearing

Report Number: 21-221

Date: August 10, 2021

Lead Department:
Community Development

Recommendation:
Approval

Background:

The City Council of the City of Newton Iowa has established the East Mart Renewal Area, which creates a mechanism to assist economic development projects in targeted areas.

Van Maanen Electric, Inc. has constructed a new headquarters building at 500 Iowa Speedway Drive and seeks assistance from the City in the form of a tax rebate. This resolution sets the date and time for City Council to hold a public hearing and take action on the development agreement for with Van Maanen Electric, Inc.

Recommendation:

Staff recommends approval of the Resolution setting a public hearing for a development agreement.

Matt Muckler
City Administrator

RESOLUTION NO. 2021 - _____

Resolution Setting a Date of Meeting at which it is Proposed to Approve a Development Agreement with Van Maanen Electric, Inc., Including Annual Appropriation Tax Increment Payments

WHEREAS, the City of Newton, Iowa (the “City”), pursuant to and in strict compliance with all laws applicable to the City, and in particular the provisions of Chapter 403 of the Code of Iowa, has adopted an Urban Renewal Plan for the East-Mart Economic Development Area (the “Urban Renewal Area”); and

WHEREAS, this City Council has adopted an ordinance providing for the division of taxes levied on taxable property in the Urban Renewal Area pursuant to Section 403.19 of the Code of Iowa and establishing the fund referred to in Subsection 2 of Section 403.19 of the Code of Iowa, which fund and the portion of taxes referred to in that subsection may be irrevocably pledged by the City for the payment of the principal of and interest on indebtedness incurred under the authority of Section 403.9 of the Code of Iowa to finance or refinance in whole or in part projects in the Urban Renewal Area; and

WHEREAS, the City proposes to enter into a certain development agreement (the “Development Agreement”) with Van Maanen Electric, Inc. (the “Company”) in connection with the construction by the Company of new corporate headquarters for use in its electrical contracting business operations; and

WHEREAS, the Development Agreement would provide financial incentives to the Company in the form of annual appropriation incremental property tax payments in an amount not to exceed \$600,000 under the authority of Section 403.9(1) of the Code of Iowa; and

WHEREAS, it is necessary to set a date for a public hearing on the Development Agreement, pursuant to Section 403.9 of the Code of Iowa;

NOW THEREFORE, IT IS RESOLVED by the City Council of the City of Newton, Iowa, as follows:

Section 1. This City Council shall meet on September 7, 2021, at six o’clock p.m., at the Newton Council Chamber, 101 West 4th Street South, in the City, at which time and place proceedings will be instituted and action taken to approve the Development Agreement and to authorize the annual appropriation incremental property tax payments.

Section 2. The City Clerk is hereby directed to give notice of the proposed action, the time when and place where said meeting will be held, by publication at least once not less than four days and not more than twenty days before the date of said meeting in a legal newspaper of general circulation in the City. Said notice shall be in substantially the following form:

NOTICE OF MEETING FOR APPROVAL OF DEVELOPMENT AGREEMENT
WITH VAN MAANEN ELECTRIC, INC. AND AUTHORIZATION OF
ANNUAL APPROPRIATION TAX INCREMENT PAYMENTS

The City Council of the City of Newton, Iowa (the “City”), will meet on September 7, 2021, at six o’clock p.m., at the Newton Council Chamber, 101 West 4th Street South, Newton, Iowa, at which time and place proceedings will be instituted and action taken to approve a Development Agreement (the “Development Agreement”) between the City and Van Maanen Electric, Inc. (the “Company”), in connection with the construction by the Company of new corporate headquarters for use in its electrical contracting business operations in the East-Mart Economic Development Area. The Development Agreement provides for certain financial incentives to the Company in the form of incremental property tax payments in a total amount not exceeding \$600,000 as authorized by Section 403.9 of the Code of Iowa..

The commitment to make incremental property tax payments to the Company under the Development Agreement will not be a general obligation of the City, but such payments will be payable solely and only from incremental property tax revenues generated within the East-Mart Economic Development Area. Some or all of the payments under the Development Agreement may be made subject to annual appropriation by the City Council.

The public can also attend the meeting electronically via Zoom, which will be accessible at the following:

Zoom (<https://us02web.zoom.us/j/83564044015>), Join zoom via phone: (call 312-626-6799 & enter ID # 83564044015)

In addition to electronic access, written comments may be filed or made prior to the meeting and will be recorded in the minutes.

At the meeting, the City Council will receive oral or written objections from any resident or property owner of the City. Thereafter, the City Council may, at the meeting or at an adjournment thereof, take additional action to approve the Development Agreement or may abandon the proposal.

This notice is given by order of the City Council of Newton, Iowa, in accordance with Section 403.9 of the Code of Iowa.

Katrina Davis
City Clerk

Section 3. All resolutions or parts of resolutions in conflict herewith are hereby repealed.

Section 4. This resolution shall be in full force and effect immediately upon its adoption and approval, as provided by law.

Passed and approved August 16, 2021.

Mayor

Attest:

City Clerk

Vendor	Department	Description	Amount
Acushnet Company	Golf	Merchandise	\$ 601.01
Aetna Life Insurance Co	Fire	Reimbursement	\$ 336.74
Airgas USA LLC	Fire	Supples	\$ 105.07
Alliant Energy/IPL	All	Utilities	\$ 987.18
Allmax Software Inc	Water Pollution Control	Service	\$ 1,670.00
Amazon Capital Services	All	Supplies	\$ 571.56
American Fence Company	Parks/Public Works Building	Service	\$ 30,542.72
American Planning Association	Planning & Zoning	Dues	\$ 624.00
ASCAP	Parks	Service	\$ 11.91
Ascheman, Philip	Police	Service	\$ 270.00
Axon Enterprise Inc	Police	Equipment	\$ 8,118.62
Barney's Wrecker & Crane	Police	Service	\$ 45.00
Beerends, Alyssa	Maytag Pool	Reimbursement	\$ 100.00
Bills Fire Extinguishers	Water Pollution Control	Service	\$ 472.00
Biobag Americas Inc	Solid Waste	Supplies	\$ 5,080.01
Black Clover Enterprises LLC	Golf	Merchandise	\$ 106.49
Bolton & Menk Inc	All	Service	\$ 33,394.78
Bound Tree Medical LLC	Fire	Supplies	\$ 143.59
Caldwell Brierly & Chalupa PLLC	D&D Program/Housing Demo	Service	\$ 2,185.10
Capital One	All	Supplies	\$ 445.16
Cappy's Tire & Auto Service	Parks	Service	\$ 352.98
Card Services	All	Service	\$ 686.10
Cardinal Trophies	Fire	Supplies	\$ 55.00
CDW Government Inc	Fire/Police	Supplies	\$ 641.47
Christensen, Jamis	Parks	Reimbursement	\$ 120.00
Cintas	All	Service	\$ 848.65
Civic Systems LLC	Administration/Finance	Training	\$ 100.00
Clapsaddle-Garber Assoc	Airport	Service	\$ 1,653.07
Computer Resource Specialists	Administration	Service	\$ 45.00
Coventry Advantra	Fire	Reimbursement	\$ 395.56
Coy, Molly	Maytag Pool	Reimbursement	\$ 41.71
Cunningham Recreation	Parks	Supplies	\$ 2,395.00
D & K Products	Golf	Supplies	\$ 1,571.30
Daigle Law Group LLC	Police	Service	\$ 595.00
Dannen, Shannon	D&D Program	Service	\$ 1,100.00
Darrell's Electric	City Center	Service	\$ 113.00
Davis Equipment Corp	Golf	Supplies	\$ 336.59
Deere & Company	Cemetery	Equipment	\$ 7,333.48
Diamond Products Co	City Center	Supplies	\$ 42.90
DLT Solutions	Engineering	Subscription	\$ 2,420.60
Dodd Trash Hauling & Recycling	Solid Waste	Service	\$ 1,865.17
Eckert, Bernard	Police	Reimbursement	\$ 148.12
EZ Lease	Fire	Service	\$ 143.01
Fareway	Golf	Concessions	\$ 190.27
Felten, Olivia	Maytag Pool	Reimbursement	\$ 141.35
Fire Dept Training Net	Fire	Membership	\$ 60.00
Fire Service Training Bureau	Fire	Service	\$ 100.00
Firehouse Magazine	Fire	Subscription	\$ 87.95

Forbes Office Solutions	All	Supplies	\$ 670.65
Four Points Golf Cars	Golf	Service	\$ 158.50
Galls LLC	Fire/Police	Supplies	\$ 1,607.54
Gregg Young Auto Center	Police	Service	\$ 1,762.19
Harden, Jacob	Police	Reimbursement	\$ 277.76
Hawkins Water Treatment	Water Pollution Control	Supplies	\$ 1,489.00
Hillyard / Des Moines	Fire	Supplies	\$ 252.14
Homefront Protective Group Inc	Police	Training	\$ 1,225.00
IA Department of Natural Resources	Water Pollution Control	Service	\$ 1,275.00
IMFOA	Finance	Membership	\$ 50.00
IMWCA	All	Insurance	\$ 26,260.00
Iowa Communities Assurance Pool	Landfill	Service	\$ 461.00
Iowa Golf Association	Golf	Merchandise	\$ 44.00
Iowa Inspections	Fire	Service	\$ 7,400.00
Jasper County Abstract	D&D Program	Service	\$ 150.00
Jensen Construction	City Center	Service	\$ 414.00
Johnson Aviation	Airport	Reimbursement	\$ 48.14
Jump Start Wellness & Fitness Inc	Maytag Pool	Service	\$ 100.00
Karl Peters Construction	City Center	Service	\$ 3,334.00
Key Cooperative	All	Supplies	\$ 13,971.44
Keystone Labs	Maytag Pool	Service	\$ 25.00
Lauterbach Buick GMC	Fire	Service	\$ 84.95
Liberty Tire Services LLC	Landfill	Service	\$ 125.00
Lyman, Rick	Parks	Service	\$ 1,200.00
Machin, Ed	Water Pollution Control	Service	\$ 800.00
Magnum Automotive	Fire/Police/WPC	Service	\$ 891.36
Mahaska Bottling Co	Maytag Pool	Concessions	\$ 1,383.45
Manatts - D.M.	Streets/Storm Water	Supplies	\$ 2,724.77
Marsden Bldg Maintenance	City Center	Service	\$ 2,425.25
Martin Marietta Materials	All	Supplies	\$ 2,508.06
Mary Greeley Medical Center	Fire	Service	\$ 980.95
McFarland Clinic	Fire	Service	\$ 454.00
Mediacom	Golf	Utilities	\$ 109.95
MercyOne DSM Medical Ctr-Financial Ops	Fire	Supplies	\$ 281.81
Meyer, Josh	Maytag Pool	Reimbursement	\$ 50.00
MG Laundry Corporation	City Center	Service	\$ 81.40
Mid Country Machinery	Landfill	Supplies	\$ 268.47
Mid-American Research Chemical	Water Pollution Control	Service	\$ 1,397.50
MTI Distributing Inc	Parks	Supplies	\$ 425.93
NAPA Auto Parts	All	Supplies	\$ 1,426.88
Newman Signs	Traffic Control	Supplies	\$ 1,143.88
News Printing Company	All	Service	\$ 950.61
Newton Daily News	Fire	Subscription	\$ 132.00
Newton Main Street	Planning & Zoning	Dues	\$ 137.35
O'Halloran International	City Garage	Supplies	\$ 469.95
O'Reilly Auto Parts	Parks/Cemetery	Supplies	\$ 311.26
Parkview Animal Hospital	Animal Control	Service	\$ 1,556.66
Per Mar Security Services	Police	Service	\$ 832.50
Portner, Brad	Housing Demo/Parks	Service	\$ 590.00
Prairie Ag Supply	Airport	Supplies	\$ 32.88
Premier Office Equipment	Executive/Police	Service	\$ 337.35
Priority Sanitation	Golf/Parks	Service	\$ 400.00

Procrafters Roofing	Tort Liability	Service	\$ 32,106.39
Professional Management Coaching	Fire	Service	\$ 2,500.00
Quill Corporation	All	Supplies	\$ 553.09
RACOM Corporation	Fire	Merchandise	\$ 517.25
Ray, Randy	Housing Demo/Parks	Service	\$ 180.00
Ronfeldt, James	Fire	Reimbursement	\$ 350.00
Secretary of State	Planning & Zoning	Dues	\$ 30.00
Shomo-Madsen-Woythaler Insurance	Tort Liability	Service	\$ 14,488.00
Sign Pro	Police	Service	\$ 225.00
SimsUshare	Fire	Service	\$ 74.95
Smith Quality Rental	Fire	Supplies	\$ 40.00
Spahn & Rose Lumber Co	Storm Water	Supplies	\$ 1,083.91
Springer Professional Home Services	City Center/Maytag Pool	Service	\$ 183.00
Streichers	Police	Supplies	\$ 135.00
Struthers Bros Kawasaki Suzuki Inc	Police	Service	\$ 1,057.43
Target Solutions Learning LLC	Fire	Service	\$ 82.00
Theisen's	All	Supplies	\$ 1,432.30
Theisen's Marshalltown	Water Pollution Control	Supplies	\$ 81.96
Tour edge	Golf	Merchandise	\$ 91.42
Town & Country Wholesale Co	Golf/Maytag Pool	Concessions	\$ 1,802.93
True Pitch Inc	Parks	Supplies	\$ 899.00
True Value Hardware	All	Supplies	\$ 1,045.13
Two Rivers Cooperative	All	Supplies	\$ 8,031.68
United States Cellular	All	Utilities	\$ 846.65
UPHDM Occupational Medicine	Fire	Service	\$ 906.00
USABlueBook	Water Pollution Control	Supplies	\$ 151.32
Van Maanen Electric Inc	Traffic Control	Supplies	\$ 301.32
Van Wall Equipment	Fire	Supplies	\$ 79.99
Volk, Ryan	Fire	Reimbursement	\$ 124.66
Walker,Zach	Police	Supplies	\$ 32.09
Warnick & Reeves Mechanical	Airport/City Center	Service	\$ 492.30
Water Department	All	Utilities	\$ 11,085.51
Zimco Supply Company	Golf/Parks	Supplies	\$ 1,013.63
Total			\$ 276,907.66

Pre-Authorized Payments

Alliant Energy	All	Utilities	\$ 57,772.18
AT & T Mobility	Police	Utilities	\$ 854.98
Black Hills Energy	All	Utilities	\$ 251.32
DISH Network	Airport	Utilities	\$ 137.05
Doll Distributing	Golf	Concessions	\$ 1,217.88
Hopkins Properties	1st Ave E TIF	Forgivable Loan	\$ 35,000.00
Howe Excavating (Reso 2021-17)	Commercial D & D	Service	\$ 4,292.50
Hy-Vee Inc	Golf	Concessions	\$ 262.23
Iowa Beverage Systems	Golf	Concessions	\$ 609.00
Johnson Brothers of Iowa	Golf	Concessions	\$ 187.20
Klett, Adam (Reso 2020-302)	Parks	Service	\$ 1,000.00
Mediacom	Golf	Utilities	\$ 189.02
MetLife Dental	All	Insurance	\$ 19,903.40
Stivers Ford (Reso 2021-042)	Police	Equipment	\$ 26,824.00

United States Cellular	Library	Utilities	\$ 422.40
Vogel Traffic Services (Reso 2021-179)	Traffic Control	Service	\$ 1,144.04
Water Department	All	Utilities	\$ 460.24
Total			\$ 150,527.44

ACH Payments from Great Southern Bank

Advantage Credit Union	All	Insurance	\$ 16,665.00
Bank Iowa	All	Insurance	\$ 6,600.00
Great Southern Bank	All	Insurance	\$ 330.00
Mutual of Omaha	All	Insurance	\$ 4,182.36
Kabel	All	Insurance	\$ 50.00
State of Iowa	Park/Golf/Landfill	Sales Tax	\$ 10,652.12
Great Southern Bank	Golf	Fees	\$ 1,633.12
Payroll 7-31-21	All	Payroll	\$ 443,666.57
Payroll 7-15-21	All	Payroll	\$ 455,125.09
Wellmark BC/BS	All	Insurance	\$ 169,409.40
Total			\$ 1,108,313.66

City of Newton Council Report

Item:

Resolution awarding contract for the HMA Resurfacing Project 2021.

Summary:

Award contract to In-Roads, LLC for the HMA Resurfacing Project 2021.

Financial Impact:

\$1,096,698.36 from 2021 Road Use Tax Revenue Bonds and an additional \$56,125.50 from 2021 North Central TIF Bond.



Report Number: 21-222

Date:

August 16, 2021

Lead Department/Division:
Public Works

Recommendation:
Approve

Background:

Various streets throughout the city are in need of resurfacing. The conditions of these streets (200-400 Blocks of E 3rd St S, 100-700 Blocks of E 7th St N, 800-900 Blocks of S 5th Ave E, 200-300 Blocks of W 3rd St N, 1000-1400 Blocks of N 4th Ave E, 400-1100 Blocks of S 6th Ave W, 300 Block of S 4th Ave W, 100-500 Blocks of W 12th St S, 600-700 Blocks E 14th St S, 600-700 Blocks of E 15th St S, 1400 Block of S 6th Ave E, 100-200 Blocks of E 7th St S, 500-700 Blocks of W 11th St S and a portion of the 1900 Block of E 8th St N) have deteriorated over the last 33-38 years with numerous cracks and surface imperfections present. City staff had identified these pavement sections as needing an asphalt milling and resurfacing project during the recently completed budgeting process.

Construction plans and specifications for the HMA Resurfacing Project 2021 were prepared by City staff and placed out for bid. The following bids were received on August 9, 2021:

<u>Contractor</u>	<u>Bid Amount</u>
In-Roads, LLC Des Moines, IA	\$1,152,823.86
Manatt's Inc., Newton, IA	\$1,183,436.45

The engineer's cost estimate for construction was \$1,232,701.00.

Recommendation:

City staff recommends awarding contract for the HMA Resurfacing Project 2021 to In-Roads, LLC of Des Moines, Iowa.

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

Matt Muckler
City Administrator

RESOLUTION NO. 2021 – _____

**RESOLUTION AWARDING CONTRACT FOR THE
HMA RESURFACING PROJECT 2021**

WHEREAS, various streets throughout the city are in need of resurfacing. The conditions of these streets (200-400 Blocks of E 3rd St S, 100-700 Blocks of E 7th St N, 800-900 Blocks of S 5th Ave E, 200-300 Blocks of W 3rd St N, 1000-1400 Blocks of N 4th Ave E, 400-1100 Blocks of S 6th Ave W, 300 Block of S 4th Ave W, 100-500 Blocks of W 12th St S, 600-700 Blocks E 14th St S, 600-700 Blocks of E 15th St S, 1400 Block of S 6th Ave E, 100-200 Blocks of E 7th St S, 500-700 Blocks of W 11th St S and a portion of the 1900 Block of E 8th St N) have deteriorated over the last 33-38 years; and

WHEREAS, City staff had identified these pavement sections as needing an asphalt milling and resurfacing project during the recently completed budgeting process; and

WHEREAS, construction plans and specifications were prepared and bids were received and opened on August 9, 2021; and City staff has recommended that the City of Newton award a contract to In-Roads, LLC of Des Moines, Iowa based on the low bid of \$1,152,823.86.

NOW, THEREFORE, BE IT RESOLVED, that the bid received from In-Roads, LLC of Des Moines, Iowa in the amount of One Million, One Hundred Fifty-Two Thousand, Eight Hundred Twenty-Three Dollars and Eighty-Six Cents (\$1,152,823.86) for the HMA Resurfacing Project 2021 as described in the plans and specifications, is hereby accepted; and

BE IT FURTHER RESOLVED, by the City Council of the City of Newton, Iowa, that the contract executed by In-Roads, LLC of Des Moines, Iowa for the HMA Resurfacing Project 2021 and as described by the plans and specifications, said contract to be signed by the Mayor and City Clerk on behalf of the City. The project will be paid for using \$1,096,698.36 from 2021 Road Use Tax Revenue Bonds and an additional \$56,125.50 from 2021 North Central TIF Bond.

PASSED this _____ day of August, 2021.

APPROVED this _____ day of August, 2021.

Michael L. Hansen, Mayor

ATTEST:

Katrina Davis, City Clerk

City of Newton Council Report

Item: Resolution to Approve Urban Renewal Plan Amendment for the Southwest Newton Economic Development Area

Summary: Approval of a Plan Amendment for the Southwest Urban Renewal Area

Financial Impact: No Financial Impact, Amends to Urban Renewal Plan for future projects and expenditures



Report Number: 21-223

Date: August 16, 2021

Lead Department:
Administration

Recommendation:
Approval

Background:

The City Council of the City of Newton Iowa has created the Southwest Urban Renewal Area and has approved an urban renewal plan for the Area. Chapter 403 of the Code of Iowa requires that, before a city approves any new urban renewal project within an urban renewal area, a city must amend the existing Urban Renewal Plan to describe that new project.

An amendment to the Plan has been prepared which consists of the West 19th Street South reconstruction project, the Rocky Marciano sculpture lighting project, and the 2022-2025 administrative and support program. This resolution approves updates to the current Urban Renewal Plan.

Recommendation:

Staff recommends approval of the Resolution to amend the Southwest Urban Renewal Plan.

A handwritten signature in black ink, appearing to read "Matt Muckler", is written over a light gray, textured background.

Matt Muckler
City Administrator

RESOLUTION NO. 2021-_____

Resolution to Approve Urban Renewal Plan Amendment for the Southwest
Newton Economic Development Area

WHEREAS, as a preliminary step to exercising the authority conferred upon Iowa cities by Chapter 403 of the Code of Iowa (the “Urban Renewal Law”), a municipality must adopt a resolution finding that one or more slums, blighted or economic development areas exist in the municipality and that the rehabilitation, conservation, redevelopment, development or a combination thereof, of such area or areas is necessary in the interest of the public health, safety or welfare of the residents of the municipality; and

WHEREAS, this City Council of the City of Newton, Iowa (the “City”), by prior resolution established the Southwest Newton Economic Development Area (the “Urban Renewal Area”) and adopted an urban renewal plan (the “Plan”) for the governance of projects and initiatives therein; and

WHEREAS, an amendment (the “Amendment”) to the Plan has been prepared which authorizes the undertaking of new urban renewal projects in the Urban Renewal Area consisting of (1) using tax increment financing to pay the costs of installing lighting for the Rocky Marciano Sculpture; (2) using tax increment financing to pay the costs of constructing street improvements on and along West 19th Street South; and (3) using tax increment financing to pay the costs of the City’s Urban Renewal Administration and Professional Support Program; and

WHEREAS, notice of a public hearing by the City Council on the proposed Amendment was heretofore given in strict compliance with the provisions of Chapter 403 of the Code of Iowa, and the Council has conducted said hearing on August 16, 2021; and

WHEREAS, copies of the Amendment, notice of public hearing and notice of a consultation meeting with respect to the Amendment were mailed to Jasper County and the Newton Community School District; the consultation meeting was held on the 29th day of July 2021; and responses to any comments or recommendations received following the consultation meeting were made as required by law;

NOW, THEREFORE, It Is Resolved by the City Council of the City of Newton, Iowa, as follows:

Section 1. The Amendment, attached hereto and made a part hereof, is hereby in all respects approved.

Section 2. It is hereby determined by this City Council as follows:

A. The activities proposed under the Amendment conform to the general plan for the development of the City;

B. The economic development initiatives and projects proposed under the Amendment are necessary and appropriate to facilitate the proper growth and development of the City in accordance with sound planning standards and local community objectives;

C. It is not anticipated that families will be displaced as a result of the City's undertakings under the Amendment. Should such issues arise with future projects, then the City will ensure that a feasible method exists to carry out any relocations without undue hardship to the displaced and into safe, decent, affordable and sanitary housing.

Section 3. All resolutions or parts thereof in conflict herewith are hereby repealed, to the extent of such conflict.

Passed and approved August 16, 2021.

Mayor

Attest:

City Clerk

CITY OF NEWTON, IOWA
URBAN RENEWAL PLAN AMENDMENT
SOUTHWEST NEWTON ECONOMIC DEVELOPMENT AREA

August, 2021

The Urban Renewal Plan (the “Plan”) for the Southwest Newton Economic Development Area (the “Urban Renewal Area”) is being amended for the purpose of identifying new urban renewal projects to be undertaken within the Urban Renewal Area.

1) Identification of Projects. By virtue of this amendment, the list of authorized urban renewal projects in the Plan is hereby amended to include the following project descriptions:

A.

Name of Project: West 19th Street South Reconstruction Project

Name of Urban Renewal Area: Southwest Newton Economic Development Area

Date of Council Approval of Project: August 16, 2021

Description of Project and Project Site: The West 19th Street South Reconstruction Project (the “Street Reconstruction Project”) will consist of street reconstruction and the incidental utility, landscaping, site clearance and cleanup work related thereto on and along the 1200 block through the 1700 block of West 19th Street South.

It is expected that the completed Street Reconstruction Project will cause increased and improved ability of the City to provide adequate transportation infrastructure in the Urban Renewal Area.

Description of Properties to be Acquired in Connection with Project: The City will acquire such easement territory and rights-of-way as are necessary to successfully undertake the Street Reconstruction Project.

Description of Use of TIF: It is anticipated that the City will pay for the Street Reconstruction Project with either borrowed funds and/or the proceeds of an internal advance of City funds on-hand. In any case, the City’s obligation will be repaid with incremental property tax revenues derived from the Urban Renewal Area. It is anticipated that the City’s use of incremental property tax revenues for the Street Reconstruction Project will not exceed \$150,000, plus any interest expense incurred by the City on any borrowing undertaken for the funding of the Street Reconstruction Project.

B.

Name of Project: Rocky Marciano Sculpture Lighting Project

Name of Urban Renewal Area: Southwest Newton Economic Development Area

Date of Council Approval of the Project: August 16, 2021

Description of Project and Project Site: The Rocky Marciano Sculpture Lighting Project will consist of the lighting of the Rocky Marciano Sculpture situated in the Urban Renewal Area along the bike trail located on the west side of Highway 14.

It is anticipated that the completed Rocky Marciano Sculpture Lighting Project will have a positive impact on commerce and economic development in the Urban Renewal Area through the provision of enhanced recreational amenities.

Description of Use of TIF: It is anticipated that the City will pay for the Rocky Marciano Sculpture Lighting Project with either borrowed funds and/or the proceeds of an internal advance of City funds on-hand. In any case, the City's obligation will be repaid with incremental property tax revenues derived from the Urban Renewal Area. It is anticipated that the City's use of incremental property tax revenues for the Rocky Marciano Sculpture Lighting Project will not exceed \$50,000, plus any interest expense incurred by the City on any borrowing undertaken for the funding of the Rocky Marciano Sculpture Lighting Project.

C.

Name of Project: Urban Renewal Administration and Professional Support Program

Name of Urban Renewal Area: Southwest Newton Economic Development Area

Date of Council Approval of Program: August 16, 2021

Description of Program: The City will provide administrative and professional support to its urban renewal projects and initiatives in the City's 2022 through 2025 fiscal years (the "Admin Support Program"). The Admin Support Program will include planning, staffing, grant writing and administration, document support, record management, accounting, marketing, legal services and such other services as are necessary to carry out and effectuate the urban renewal initiatives and objectives of the City.

Description of Use of TIF: The City will fund its support contributions under the Admin Support Program from the proceeds of internal advances (the "Advances") of cash on hand. The City's annual contributions will be determined from year to year. The City will repay the Advances from incremental property tax revenues to be derived from the Urban Renewal Area. The amount of the Advances will be determined from year to year. The total amount of incremental property tax revenues to be applied to the City's Admin Support Program for the City's fiscal years 2022 through 2025 shall not exceed \$30,000.

2) Required Financial Information. The following information is provided in accordance with the requirements of Section 403.17 of the Code of Iowa:

Constitutional debt limit of the City:	<u>\$45,967,721</u>
Outstanding general obligation debt of the City:	<u>\$28,591,485</u>
Proposed maximum indebtedness to be incurred in connection with this August, 2021 Amendment:	<u>\$ 230,000*</u>

*It is anticipated that some or all of the debt incurred hereunder will be subject to annual appropriation by the City Council.

City of Newton Council Report

Item: Resolution To Approve Urban Renewal Plan Amendment for the East-Mart Economic Development Area

Summary: Approval of a Plan Amendment for the East-Mart Urban Renewal Area

Financial Impact: No Financial Impact, Amends to Urban Renewal Plan for future projects and expenditures



Report Number: 21-224

Date: August 16, 2021

Lead Department:
Administration

Recommendation:
Approval

Background:

The City Council of the City of Newton Iowa has created the East-Mart Urban Renewal Area and has approved an urban renewal plan for the Area. Chapter 403 of the Code of Iowa requires that, before a city approves any new urban renewal project within an urban renewal area, a city must amend the existing Urban Renewal Plan to describe that new project.

An amendment to the Plan has been prepared which consists of the reconstruction of Iowa Speedway Drive, TIF tax rebates to Van Maanen Electric, Inc, and the administrative and support program. This resolution approves updates to the current Urban Renewal Plan.

Recommendation:

Staff recommends approval of the Resolution to amend the East-Mart Urban Renewal Plan.

A handwritten signature in black ink, appearing to read "Matt Muckler", is written over a light gray, textured background.

Matt Muckler
City Administrator

RESOLUTION NO. 2021-_____

Resolution to Approve Urban Renewal Plan Amendment for the East-Mart
Economic Development Area

WHEREAS, as a preliminary step to exercising the authority conferred upon Iowa cities by Chapter 403 of the Code of Iowa (the “Urban Renewal Law”), a municipality must adopt a resolution finding that one or more slums, blighted or economic development areas exist in the municipality and that the rehabilitation, conservation, redevelopment, development or a combination thereof, of such area or areas is necessary in the interest of the public health, safety or welfare of the residents of the municipality; and

WHEREAS, this City Council of the City of Newton, Iowa (the “City”), by prior resolution established the East-Mart Economic Development Area (the “Urban Renewal Area”) and adopted an urban renewal plan (the “Plan”) for the governance of projects and initiatives therein; and

WHEREAS, an amendment (the “Amendment”) to the Plan has been prepared which authorizes the undertaking of new urban renewal projects in the Urban Renewal Area consisting of (1) using tax increment financing to pay the costs of reconstructing Iowa Speedway Drive; (2) using tax increment financing to pay the costs of the City’s Urban Renewal Administration and Professional Support Program; and (3) providing tax increment financing support to Van Maanen Electric, Inc. (the “Company”) in connection with the construction by the Company of new corporate headquarters for use in its electrical contracting business operations; and

WHEREAS, notice of a public hearing by the City Council on the proposed Amendment was heretofore given in strict compliance with the provisions of Chapter 403 of the Code of Iowa, and the Council has conducted said hearing on August 16, 2021; and

WHEREAS, copies of the Amendment, notice of public hearing and notice of a consultation meeting with respect to the Amendment were mailed to Jasper County and the Newton Community School District; the consultation meeting was held on the 29th day of July 2021; and responses to any comments or recommendations received following the consultation meeting were made as required by law;

NOW, THEREFORE, It Is Resolved by the City Council of the City of Newton, Iowa, as follows:

Section 1. The Amendment, attached hereto and made a part hereof, is hereby in all respects approved.

Section 2. It is hereby determined by this City Council as follows:

A. The activities proposed under the Amendment conform to the general plan for the development of the City;

B. The economic development initiatives and projects proposed under the Amendment are necessary and appropriate to facilitate the proper growth and development of the City in accordance with sound planning standards and local community objectives;

C. It is not anticipated that families will be displaced as a result of the City's undertakings under the Amendment. Should such issues arise with future projects, then the City will ensure that a feasible method exists to carry out any relocations without undue hardship to the displaced and into safe, decent, affordable and sanitary housing.

Section 3. All resolutions or parts thereof in conflict herewith are hereby repealed, to the extent of such conflict.

Passed and approved August 16, 2021.

Mayor

Attest:

City Clerk

CITY OF NEWTON, IOWA

URBAN RENEWAL PLAN AMENDMENT
EAST-MART ECONOMIC DEVELOPMENT AREA

August, 2021

The Urban Renewal Plan (the “Plan”) for the East-Mart Economic Development Area (the “Urban Renewal Area”) is being amended for the purpose of identifying new urban renewal projects to be undertaken within the Urban Renewal Area.

1) Identification of Projects. By virtue of this amendment, the list of authorized urban renewal projects in the Plan is hereby amended to include the following project descriptions:

A.

Name of Project: Iowa Speedway Drive Reconstruction Project

Name of Urban Renewal Area: East-Mart Economic Development Area

Date of Council Approval of Project: August 16, 2021

Description of Project and Project Site: The Iowa Speedway Drive Reconstruction Project (the “Street Reconstruction Project”) will consist of street reconstruction and the incidental utility, landscaping, site clearance and cleanup work related thereto on and along the 100 block through the 600 block of Iowa Speedway Drive.

It is expected that the completed Street Reconstruction Project will cause increased and improved ability of the City to provide adequate transportation infrastructure in the Urban Renewal Area.

Description of Properties to be Acquired in Connection with Project: The City will acquire such easement territory and rights-of-way as are necessary to successfully undertake the Street Reconstruction Project.

Description of Use of TIF: It is anticipated that the City will pay for the Street Reconstruction Project with either borrowed funds and/or the proceeds of an internal advance of City funds on-hand. In any case, the City’s obligation will be repaid with incremental property tax revenues derived from the Urban Renewal Area. It is anticipated that the City’s use of incremental property tax revenues for the Street Reconstruction Project will not exceed \$80,000, plus any interest expense incurred by the City on any borrowing undertaken for the funding of the Street Reconstruction Project.

B.

Name of Project: Van Maanen Electric, Inc. Headquarters Development Project

Name of Urban Renewal Area: East-Mart Economic Development Area

Date of Council Approval of Project: August 16, 2021

Description of the Project: Van Maanen Electric, Inc. (the “Company”) has undertaken the construction of a new building to serve as the corporate headquarters for its electrical contracting business operations (the “Project”) on certain real property situated at 500 Iowa Speedway Drive in the Urban Renewal Area (the “Development Property”).

It has been requested that the City provide tax increment financing assistance to the Company in support of the efforts to complete, operate and maintain the Project.

The costs incurred by the City in providing tax increment financing assistance to the Company will include legal and administrative fees (the “Admin Fees”) in an amount not to exceed \$8,000.

Description of Public Infrastructure to be Constructed in Connection with the Project: It is not anticipated that the City will undertake any public infrastructure improvements in connection with the Project.

Description of Properties to be Acquired in Connection with the Project: It is not anticipated that the City will acquire real property in connection with the Project.

Description of Use of TIF for the Project: The City intends to enter into a Development Agreement with the Company with respect to the construction and use of the completed Project and to provide annual appropriation economic development payments (the “Payments”) to the Company thereunder. The Payments will be funded with incremental property tax revenues to be derived from the Development Property. It is anticipated that the City’s total commitment of incremental property tax revenues with respect to the Project will not exceed \$600,000, plus the Admin Fees.

C.

Name of Project: Urban Renewal Administration and Professional Support Program

Name of Urban Renewal Area: East-Mart Economic Development Area

Date of Council Approval of Program: August 16, 2021

Description of Program: The City will provide administrative and professional support to its urban renewal projects and initiatives in the City’s 2022 through 2026 fiscal years (the “Admin Support Program”). The Admin Support Program will include planning, staffing, grant writing and administration, document support, record management,

accounting, marketing, legal services and such other services as are necessary to carry out and effectuate the urban renewal initiatives and objectives of the City.

Description of Use of TIF: The City will fund its support contributions under the Admin Support Program from the proceeds of internal advances (the “Advances”) of cash on hand. The City’s annual contributions will be determined from year to year. The City will repay the Advances from incremental property tax revenues to be derived from the Urban Renewal Area. The total amount of incremental property tax revenues to be applied to the City’s Admin Support Program for the City’s fiscal years 2022 through 2026 shall not exceed \$400,000.

2) Required Financial Information. The following information is provided in accordance with the requirements of Section 403.17 of the Code of Iowa:

Constitutional debt limit of the City:	<u>\$45,967,721</u>
Outstanding general obligation debt of the City:	<u>\$28,591,485</u>
Proposed maximum indebtedness to be incurred in connection with this August, 2021 Amendment:	<u>\$ 1,088,000*</u>

*It is anticipated that some or all of the debt incurred hereunder will be subject to annual appropriation by the City Council.

City of Newton Council Report

Item: Resolution approving amendment to the City-Wide Urban Revitalization Plan

Summary: Amending the City-Wide Urban Revitalization Plan to fine tune project eligibility for the City's tax abatement program

Financial Impact: None.



Report Number: 21-225

Date: August 16, 2021

Lead Department: Community Development

Recommendation:
Approve

The proposed amendments to the City-wide Urban Revitalization Plan are as follows:

- Housekeeping updates (inclusion of resolution numbers and dates)
- Qualifying single family residential project must be owner-occupied properties.
- Removing industrial and multi-family tax abatement as available development areas are located within Urban Renewal/TIF areas (or could be easily incorporated into one). TIF, specifically tax abatement, is the preferred incentive tool over blanket tax abatement.

As a reminder, the differences between tax abatement and tax rebate can be summed up as follows:

- Tax Abatement: Allows for a reduction or exemption in taxes due. The actual amount of property tax due to be paid by the property owner is reduced.
- Tax Rebate: When government returns taxes paid. The amount of property tax due is not reduced, but once paid, taxes (or a portion) are returned, or rather paid back, to the property owner.

Recommendation: City Staff recommends approval of the resolution.

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

Matt Muckler
City Administrator

RESOLUTION NO. 2021 – _____

**RESOLUTION APPROVING AMENDMENT TO CITY OF NEWTON CITY-WIDE
URBAN REVITALIZATION PLAN**

WHEREAS, the City of Newton's City-Wide Urban Revitalization Plan, adopted January 18, 1993 (Resolution 93-13) was amended December 6, 1999 (Resolution 99-83), revised in October 2002 (Resolution 2002-146), revised in May 2007 (Resolution 2007-047), revised in March 2013 (Resolution 2013-030), revised in December 2016 (Resolution 2016-274), revised in December 2018 (Resolution 2018-284), revised in December 2019 (Resolution 2019-261), and revised in November 2020 (Resolution 2020-269) ; and

WHEREAS, the City proposes to revise the City-Wide Urban Revitalization Plan; and

WHEREAS, the Newton City Council has reviewed the proposed amendment to the City-Wide Urban Revitalization Plan; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of Newton, Iowa,

Section 1: The City-Wide Urban Revitalization Plan, originally adopted January 18, 1993 and as subsequently amended, is hereby revised as shown in Exhibit A, with deletions and additions being indicated by strikethroughs and underlined language.

Section 2: Changes effected by this Resolution shall be applicable and effective immediately.

PASSED this _____ day of August 2021.

APPROVED this _____ day of August 2021.

Michael L. Hansen, Mayor

ATTEST:

Katrina Davis, City Clerk

City-Wide Urban Revitalization Plan

for

The City of Newton, Iowa

Originally Adopted
January 18, 1993 by Resolution No. 93-13

Amended December 6, 1999
by Resolution No. 99-183

Amended October 22, 2002
by Resolution No. 2002-146

Amended May 7, 2007
by Resolution No. 2007-047

Amended March 4, 2013
by Resolution No. 2013-030

Amended December 19, 2016
By Resolution No. 2016-274

Amended December 3, 2018
By Resolution No. 2018-284

Amended December 2, 2019
By Resolution No. 2019-261

Amended November 16, 2020
By Resolution No. 2020-269

Amendment _____, 202__
By Resolution No. 2021- ____

Title:

The following plan shall constitute the “City-Wide Urban Revitalization Plan”.

Area Boundaries:

The City-Wide Urban Revitalization Area (hereinafter referred to as the “Area”) is all real property situated in the incorporated limits of the City of Newton, Iowa as of **August 15, 2021**, and more particularly described in the boundary description as Exhibit 1 and shown on the map attached as Exhibit 2.

Such City-Wide Urban Revitalization Area shall also include all other areas subsequently annexed to the City of Newton as long as this plan is in effect, except for areas specifically excluded in annexation resolutions.

Purpose:

The plan is prepared to conform with Section 404.2 of the Code of Iowa, for the purpose of outlining procedures whereby the Area, hereinafter to be designated by ordinance, need be revitalized and the potential for development be enhanced. The adoption of the plan will enhance the revitalization of the Area resulting in the improvement of the public health, safety and welfare of the residents of the City.

Goals:

The goals of this revitalization plan are:

- To encourage the revitalization of the Area.
- To stabilize and increase the tax base within the City.
- To improve the City through new construction and rehabilitation of existing residential, commercial, and industrial property.
- To enhance the Area by increasing land values and providing an overall aesthetic improvement.
- To make needed public improvements within the Area.

Existing Zoning:

The standards for development for the purposes of this plan shall be the standards set in the zoning ordinance. The Zoning Ordinance and Official Zoning Map, as may from time to time be amended, for the City of Newton is made a part of this plan by reference as if recited in full within the plan.

Land Use:

The Comprehensive Plan and Future Land Use Map of the City of Newton were adopted in October 2012, amended in 2014, 2016, 2018, and 2020.

The intent for future land use is contained in the Comprehensive Plan as adopted and may be amended from time to time to promote the orderly development of the city.

City Services:

The City provides a broad range of services to all property owners. The City intends to provide additional public improvements to the Area for the duration of the plan. However, the existing public improvements should be better utilized through the increased development of the Area. This better utilization is expected to have the effect of reducing the costs to the City in providing services to the Area.

Revenue Bonds:

The City will issue revenue bonds for eligible projects in the Area, in accordance with Section 419.17 of the Code of Iowa, as amended, provided that approval for the issuance of revenue bonds shall be considered separately from any request incurred by the City due to the approval and issuance of the bonds. Requests for the City to issue revenue bonds for a project must be made prior to the start of any project.

Basis of Tax Exemption:

Improvements eligible for exemption include rehabilitation, additions to existing structures and some new construction projects on vacant land or land with existing structures when constructed in accordance with an approved building permit. Actual value added by eligible improvements, as cited (or referenced) in this plan, means the actual value added as of the first year for which the exemption is granted. The minimum increase in the actual value of the real estate required to be eligible for the exemptions provided in this plan shall be as required by Chapter 404 of the Code of Iowa. No change can be made once the application is approved and the exemption is granted.

1. All qualified single-family/owner occupied real estate assessed as residential property, is eligible to receive an exemption from taxation based on the actual value added by the improvements, except for projects that qualify for the City's City-Wide Housing Incentive Program (Approved August 3, 2021: Reso: 2021 - 208) or properties that received the City's City-Wide Housing Incentive Program within the previous 5 years.

The exemption is for a period of five (5) years. The amount of the exemption is equal to one-hundred percent (100%) of the actual value of the improvements for year one and year two, and fifty percent (50 %) of the actual value of the improvements for year three, year four, and year five. However, the amount of the actual value added by the improvements which shall be used to compute the exemption shall not result in the actual value of the qualified real estate being reduced below the actual value on which the homestead credit is computed under section 425.1.

Applicants who fail to submit their application to the City of Newton Community Development Department on or before February 1 following the completion of the project are ineligible for the program.

2. All qualified real estate assessed as industrial property, not located within a City of Newton TIF District, is eligible to receive an exemption from taxation on the actual value added in accordance with State of Iowa Code 427B. The schedule, as found in State of Iowa Code 427B, is as follows:

- (1) For the first year, seventy-five percent.
- (2) For the second year, sixty percent.
- (3) For the third year, forty-five percent.
- (4) For the fourth year, thirty percent.
- (5) For the fifth year, fifteen percent.

3. All qualified real estate assessed as multi-residential property, that is not located within a City of Newton TIF District, is eligible to receive an exemption from taxation based on the actual value added by the improvements. The exemption is for a period of five (5) years and is as follows:

- (1) For the first year, seventy-five percent.
- (2) For the second year, sixty percent.
- (3) For the third year, forty-five percent.
- (4) For the fourth year, thirty percent.
- (5) For the fifth year, fifteen percent.

4. Within the geographical area identified as the North Central Urban Renewal Area as shown on Exhibit 3 to this Plan, Tax Abatement shall be available to property classified as Residential and shall begin with Assessment Year 2008. All other terms, conditions, qualification criteria, and definitions of the Plan shall apply equally to this area.

a. Downtown Large Project Program: Within the geographical area identified as the North Central Urban Renewal Area as shown on Exhibit 3 to this Plan, tax exemption in an amount up to or equal to one-hundred percent (100%) of the actual value of the improvements for nine (9) years, shall be available to mixed-use, single structure development meeting the following conditions:

- i. The development is located on a single parcel and zoned C-CBD and consists of a single structure located within 1 city block of the Jasper County Courthouse.
- ii. The Jasper County Assessor has classified a portion of the structure as multi-residential and has classified the remaining portion of the structure as commercial.
- iii. The development is a rehabilitation of an existing building.
- iv. The development has received Historic Tax Credits for rehabilitation, and the rehabilitation of the building aligns with the Secretary of Interior's Standards for Rehabilitation.
- v. The improvements have a construction valuation exceeding \$10 million.

Application Procedures:

An application for exemption shall be made on the forms provided by the Community Development Department as shown as Exhibit 4. A separate application will be required and filed for each new exemption claimed. The application for an exemption shall be filed by the owner(s) of record of eligible property with the City Council through the Community Development Department by the tenth day of January of the assessment year for which the exemption is first claimed, but not later than the year in which all improvements are first assessed.

The City Council shall approve applications submitted if:

- a) The improvements, as determined by the City Council, are in conformance with this plan; and,
- b) The project is located within the Area; and
- c) The improvements were made during the time the Area was so designated

All applications approved by the City Council shall be forwarded to the County Assessor for review, pursuant to Section 404.5 of the Code of Iowa, no later than the first day of March of each year with a statement indicating the authorized exemption. The County Assessor shall make a physical review of all properties with approved applications. The County Assessor shall determine the increase in actual value for tax purposes, if any, due to the improvements and notify the applicant of that determination. The value may be appealed to the local Board of Review pursuant to Section 441.37 of the Code of Iowa. After initial tax exemption is granted, the County Assessor shall continue to grant the tax exemption for the period specified on the approved application. The tax exemptions for the succeeding years shall be granted without the owner(s) having to file an application for the succeeding years.

Relocation:

Any owner(s) requesting exemption for improvements made to an existing residential dwelling unit shall be required to provide evidence, prior to approval of any exemption, that compensation has been paid to the tenant in the amount of at least one (1) month's rent, if the tenant was:

- a) Displaced due to improvements, directly or indirectly, for which an exemption is requested; and,
- b) The legal occupant of the residential dwelling unit has occupied the dwelling continuously for at least one (1) year prior to completion of the improvements for which an exemption is requested.

Evidence of payment of relocation shall be a statement signed by the tenant that one (1) month's rent has been paid (prior to the date of the approval of the application for exemption) and a copy of the receipt for such payment signed by the owner(s) and tenant.

On all applications for exemption for improvements to existing residential dwelling unit(s), the applicant shall provide evidence of the relocation payment or

indicate on the application that no tenants are eligible and the relocation requirement does not apply.

Additional Conditions:

The following conditions also must be met by the applicant for approval of an application for exemption:

- a) A residential or multi-residential dwelling unit for which an exemption is requested must, prior to or as a result of the improvements, be in compliance with the minimum requirements of the Newton Minimum Housing Code.
- b) The improvements for which an exemption is requested shall be completed in accordance with an approved building permit and the building permit number entered on and made part of the application. The improvements shall have passed a final building inspection and received a Certificate of Occupancy.
- c) Improvements for which an exemption is requested shall be in conformance with the Newton Zoning Ordinance.

Other Sources of Revitalization Funds:

Financial sources for improvements are available from usual commercial lending institutions.

Duration:

This plan shall take effect on the effective date of the ordinance designating the Area and shall continue to be in effect until December 31, 2023, provided that:

- a) The City Council may find, after review of the impact of the plan, that the plan need be extended shall pass a resolution stating the number of years the plan is extended; and,
- b) If the plan, as determined by the City Council, is no longer of benefit to the City, the City Council may repeal the ordinance designating the Area prior to the expiration of the original or extended period. In the event the ordinance is repealed all existing exemptions shall continue until their expiration.

Owners of Record and Existing Assessed Valuations:

A list of the names, addresses, and assessed valuations for land and buildings of the owners of record of all real estate within the designated Area is kept on file at the Jasper County Auditor's Office.

Exhibit 1- City Limits Description:

Part of Township 79 and 80 North, Range 19 West of the 5th P.M. and Township 79 North, Range 18 West of the 5th P.M., Jasper County, Iowa, described as:
Beginning at the NW corner of the South half of the SW Quarter of Section 24-80-19;
Thence east along the North line to the NE corner of the said South half of the SW Quarter of Section 24-80-19;
Thence South along the East line of the SW Quarter of said Section 24-80-19 and the East line of the NW Quarter of Section 25-80-19, to the center of said Section 25-80-19;
Thence west along the South line of the NW Quarter of said Section 25-80-19, 1208.5 ft. to the East right-of-way line of E. 31st St. N.;
Thence Southerly along said East right-of-way line to a point 180 ft. north of the centerline of N. 4th Ave. E.;
Thence East along a line 180 ft. normally distant Northerly and parallel to the centerline of North 4th Avenue East, to a point 183 ft. East of the centerline of East 31st Street North said point being 180 ft. North and 183 ft. East of the SE corner of the SW Quarter of the SW Quarter of Section 25 of said Township 80;
Thence South along a line 183 ft. normally distant Easterly and parallel to the centerline of E. 31st St. N. to a point 224.56 ft. North of the centerline of US Hwy. 6;
Thence South 87°35'50" E. 49.04 ft.;
Thence South 76°29'55" E. 113.23 ft. to the West right-of-way line of Halter Ave.;
Thence Southwesterly along said West right-of-way line 55.99 ft. along a 349 ft. radius curve, concave Northwesterly;
Thence South 89°34'49" W., 9.31 ft.;
Thence Southwesterly along said west right-of-way line along a 342 ft. radius curve, concave Northwesterly to point on the north right-of-way line of US Highway 6;
Thence Easterly along said north right-of-way line to the West line of the NE Quarter of Section 36-80-19;
Thence North along said West line to the North Quarter corner of said Section 36;
Thence East along the North line of said Section 36 to the NE corner of said Section 36;
Thence South along the East line of said Section 36 to the North right-of-way line of U.S. Hwy. 6;
Thence Southwesterly along said North right-of-way line to a point lying normal to a point on the centerline of said U.S. Hwy. 6, 50 ft. East of the West line of the NE Quarter of said Section 36 as measured along U.S. Hwy. 6 centerline;
Thence Southeasterly through said point on centerline to a point on the South right-of-way line of said U.S. Hwy. 6 lying normal to said centerline point;
Thence Southwesterly along said South right-of-way line to the East line of the West half of said Section 36;
Thence South along the East line of the West half of said Section 36 to the NW corner of the South half of the SW Quarter of the SE Quarter of said Section 36;
Thence East along the North line of said South half of the SW Quarter of the SE Quarter to the NE corner of said South half of the SW Quarter of the SE Quarter;
Thence South along the East line of said SW Quarter of the SE Quarter to the South line of said Section 36;
Thence East along said South line of Section 36 to the SE corner of said Section 36;
Thence South along the East line of Section 1 of said Township 79 to the Southeast corner of the NE Quarter of the NE Quarter of said Section 1;
Thence West, 94.1 ft. to the Westerly right-of-way line of a public highway (Interstate Highway #80);
Thence Southerly and Westerly along said right-of-way line to a point 150 ft. east of the East line of the West half of the West half of said Section 1;
Thence South along a line 150 ft. normally distant Easterly and parallel to said East line, to a point on the South right-of-way line of Interstate Highway #80;
Thence Easterly along South right-of-way line of Interstate Highway #80 to a point on the East line of the SE Quarter of Section 1-79-19;
Thence continuing Easterly along the South right-of-way line of Interstate Highway #80 to a point on the East line of the SW Quarter of the NW Quarter of Section 6-79-18;
Thence South along said East line and the East line of the NW Quarter of the SW Quarter of Section 6-79-18 to the SE corner of said NW Quarter, SW Quarter, Section 6-79-18;
Thence West along the South line of the NW Quarter of the SW Quarter of Section 6-79-18 to the east line of the SE Quarter of Section 1-79-19;
Thence south 00°25'27" east, 212.00 feet along the east line of the southeast quarter of the southeast quarter of said Section 1; thence south 89°26'06" west, 63.80 feet; thence southwesterly 571.83 feet along the arc of a non-tangent curve concave to the northwest with a central angle of 25°12'09", a radius of 1,300.00 feet and a chord that bears south 41°59'02" west, 567.23 feet; thence south 54°35'06" west, 107.16 feet, said line being tangent to the aforesaid curve; thence south 42°21'36" west, 306.96 feet; thence south 54°35'06" west, 304.86 feet to the westerly right-of-way line, now abandoned, of the Chicago and Northwestern Railway Company; thence south 39°25'57" east along said westerly right-of-way line to the south line of said Section 1; hence west 268 feet along said south line;

Thence south 89°49'11" west to a point 253.53 feet east of the Southeast corner of Parcel "H" in the south half of the southeast quarter of section 1 and the north half of the northeast quarter of section 12 all in township 79 north, range 19 west of the fifth principal meridian, as recorded in book 1153, page 100 in the Jasper County Recorder's Office; thence southwesterly, 620.37 feet along the arc of a non-tangent curve concave to the southeast with a central angle of 39°33'17", a radius of 1,000.00 feet and a chord that bears south 22°13'34" west, 676.73 feet;

Thence south 84°24'26" east, 325.86 feet; thence north 64°15'42" east, 273.15 feet; thence north 52°50'05" east, 120.53 feet; thence north 69°34'59" east, 262.92 feet; thence south 43°12'00" east, 350.00 feet; thence south 50°13'22" east, 618.35 feet to the easterly extension of the north line of said lands of van zee; thence north 89°59'33" west, 1,086.48 feet along the easterly extension of and the north line of said lands of Van Zee, as recorded in book 865, page 483 in the Jasper County Recorder's Office; thence north 54°40'24" west to the east line of the NW Quarter of the NE Quarter of Section 12-79-19;

Thence South 343.5 ft. to the SE corner of said NW Quarter of the NE Quarter of Section 12-79-19;

Thence East 176.4 ft. along the North line of the SE Quarter of the NE Quarter of said Section 12-79-19;

Thence South 938.3 ft. along a line parallel to the West line of the SE Quarter of the NE Quarter of Section 12-79-19;

Thence North 81°11' E. 496.8 ft. to the centerline of Lincoln Street;

Thence South 12°40' E. along the centerline of Lincoln Street to a point on the South line of North half of Section 12-79-19;

Thence west along the South line of North half of Section 12-79-19 to the center of Section 12;

Thence South 3°05'49"E., 1,003.12 ft. along the East line of the NE Quarter of the SW Quarter of said Section 12;

Thence South 41°55'23"E., 630.52 ft.;

Thence South 87°01'55"W., 359.31 ft.;

Thence North 41°55'23"W., 216.74 ft. to the South line of said NE Quarter of the SW Quarter;

Thence South 87°03'35"W., 1,234.89 ft. along said South line to the SW corner of the NE Quarter of the SW Quarter of Section 12;

Thence North 3°11'04"W., 622.19 ft. along the West line of said NE Quarter of the SW Quarter;

Thence North 41°55'23"W., to the South line of the SW Quarter of the NW Quarter of Section 12-79-19;

Thence west along the South line of said SW Quarter of the NW Quarter of Section 12, 769.75 ft. to the SW corner of the SW Quarter of the NW Quarter of said Section 12;

Thence North along the West line of SW Quarter of the NW Quarter of Section 12-79-19, 957.47 ft.

Thence North 41°55'23" W. to the West line of the NE Quarter of the NE Quarter of Section 11-79-19;

Thence North 3°13'22"W., 36.44 ft. to the NW corner of said NE Quarter of the NE Quarter;

Thence North 33.0 ft. along the East line of the SW Quarter of the SE Quarter of Section 2 to the North right-of-way line of the county road;

Thence West along said North right-of-way line to the West line of said SW Quarter of the SE Quarter;

Thence North along the West line of said SW Quarter of the SE Quarter and the NE Quarter of the SW Quarter of Section 2 to a point 963.9 ft. south of the center of said Section 2;

Thence North 33°00'W., to a point 183 ft. south of the North line of the SW Quarter of said Section 2;

Thence West along a line 183 ft. normally distant Southerly and parallel to the North lines of the South half's of Sections 2 and 3 of said Township 79 to a point 150 ft. East of the East right-of-way line of East 5th Street South;

Thence South 167 ft.;

Thence West 262 ft. to the East line of the NE Quarter of the SW Quarter of Section 3;

Thence north along said East Line to a point 222.24 ft. south of the NE corner of said NE Quarter of the SW Quarter;

Thence South 80°39'W to the centerline of the abandoned C.R.I. & P. railroad;

Thence Southeasterly along said centerline to the South line of Lot 2 of the Subdivision of the NE Quarter of the SW Quarter of said Section 3 extended to said centerline;

Thence West along said South line to the Southwest corner of said Lot 2;

Thence Northwesterly along the West line of said Lot 2 to a point 350 ft. south of the North line of the South half of said Section 3;

Thence West along a line 350 ft. normally distant Southerly and parallel to the North lines of the South half's of Sections 3 and 4 of said Township 79 to a point which lies 500 ft. East of the West line of the NE Quarter of the SW Quarter of Section 4;

Thence South along a line 500 ft. normally distant Easterly and parallel to said West line to the South line of said NE Quarter of the SW Quarter;

Thence West 200 ft.;

Thence South along a line 300 ft. normally distant Easterly and parallel to said West line of the SE Quarter of the SW Quarter to the South line of said Section 4;

Thence West 300 ft. to the SW corner of the SE Quarter of the SW Quarter of said Section 4;

Thence North along the West line of the SE Quarter of the SW +Quarter and the NE Quarter of the SW Quarter to a point 466.7 ft. north of the SE corner of said NW Quarter of the SW Quarter;

Thence West 466.7 ft.; thence South 466.7 ft. to the South line of said NW Quarter of the SW Quarter of said Section 4;

Thence West along said South line to the SE corner of Lot 6 of the Subdivision of said NW Quarter of the SW Quarter;

Thence North 208.7 ft. along the East line of said Lot 6 to the Northeast corner of said Lot 6;

Thence West along the North line of said Lot 6 to the East right-of-way line of West 18th Street South;

Thence South along said East right-of-way line, and said right-of-way line extended, to the South line of said NW Quarter of the SW Quarter;

Thence West 150 ft. along said South line to a point 226.5 ft. East of the Southwest corner of said NW Quarter of the SW Quarter;

Thence North 51.6 ft. to a point on the South line of Lot 5 and 45.3 ft. West of the Southeast corner of Lot 5 of the Subdivision of said NW Quarter of the SW Quarter;

Thence Westerly along said South line to the Southwest corner of said Lot 5;

Thence South 51.5 ft. to the South line of said NW Quarter of the SW Quarter;

Thence West along the South line of said NW Quarter of the SW Quarter of Section 4 and the South line of the North half of the SE Quarter of Section 5 to the Easterly right-of-way line of the Iowa Interstate Railroad (IAIS);

Thence Northerly along said Easterly right-of-way line to a point 150 ft. West of the East line of Section 32 of said Township 80;

Thence North along a line 150 ft. normally distant Westerly and parallel to said East line to the North line of the SE Quarter of said Section 32;

Thence East 150 ft. along said North line to the Northeast corner of said SE Quarter;

Thence North along the East line of said Section 32 to the Northeast corner of the SE Quarter of the NE Quarter of said Section 32;

Thence East along the South line of the NW Quarter of the NW Quarter of Section 33 to the Southwest corner of Leeper's Highland Addition as shown by Plat recorded in Book 279, Page 8 in the Office of the Recorder of Jasper County, Iowa;

Thence North along the West line of said Leeper's Highland Addition to the centerline of North 2nd Avenue West extended;

Thence East 52.5 ft. along said centerline;

Thence North to the North line of Section 33;

Thence West along said North line to the NE corner of Lot E of the Subdivision of the NW Quarter of the NW Quarter of Section 33;

Thence South 150 ft. along the East line of said Lot E;

Thence West 82.5 ft. to the West line of said Lot E;

Thence North 150 ft. along the West line of said Lot E to the North line of Section 33;

Thence West along said North line to a point 180 ft. East of the West line of the SW Quarter of Section 28;

Thence North along a line 180 ft. normally distant Easterly and parallel to the West line of the SW Quarter of Section 28 to the North line of the SW Quarter of the said SW Quarter;

Thence East along said North line to the west right-of-way line of Iowa Highway #14;

Thence Northeasterly along the West right-of-way line of Iowa Hwy. 14 to the South line of the North half of the NW Quarter of Section 28;

Thence West along South lines of North half of NW Quarter of Section 28 and the North half of NE Quarter of Section 29 to a point lying 850 ft. West of the East line of the NE Quarter of the NE Quarter of Section 29;

Thence North along a line lying 850 ft. normally distant westerly and parallel to the East line of the NE Quarter of the NE Quarter of Section 29 and the SE Quarter of the SE Quarter of Section 20 to the North line of said SE Quarter of the SE Quarter of Section 20;

Thence East along the North lines of the SE Quarter of the SE Quarter of Section 20 and the South half of the SW Quarter of Section 21 to the Northeast corner of the SE Quarter of the SW Quarter of said Section 21;

Thence South along the East line of said SE Quarter of the SW Quarter to the South Quarter corner of said Section 21;

Thence East along the South line of the SE Quarter of Section 21 to the West right-of-way line of Iowa Hwy. #14;

Thence Northeasterly along said West right-of-way line of Iowa Hwy. #14 to the North line of the South 902.6 ft. of the SE Quarter of the SE Quarter of said Section 21;

Thence East along the said North line to the East right-of-way line of Iowa Hwy. 14;

Thence Northeasterly along said East right-of-way line to the NW corner of Lot 2 of the Subdivision of the SE Quarter of the SE Quarter of Section 21;

Thence Easterly to the NE corner of said Lot 2;

Thence South 409 ft. to the SE corner of said Lot 2;

Thence East 403.5 ft. to a point on the East line and 416 ft. south of the Northeast corner of said SE Quarter of the SE Quarter;

Thence South along said East line to a point 183 ft. North of the Southwest corner of Section 22;

Thence easterly along a line 183 ft. normally distant Northerly and parallel to the South line of Section 22, to the East line of the SW Quarter of said Section 22;

Thence North, 725 ft., along said East line;

Thence East 620 ft.; thence South 725 ft.;

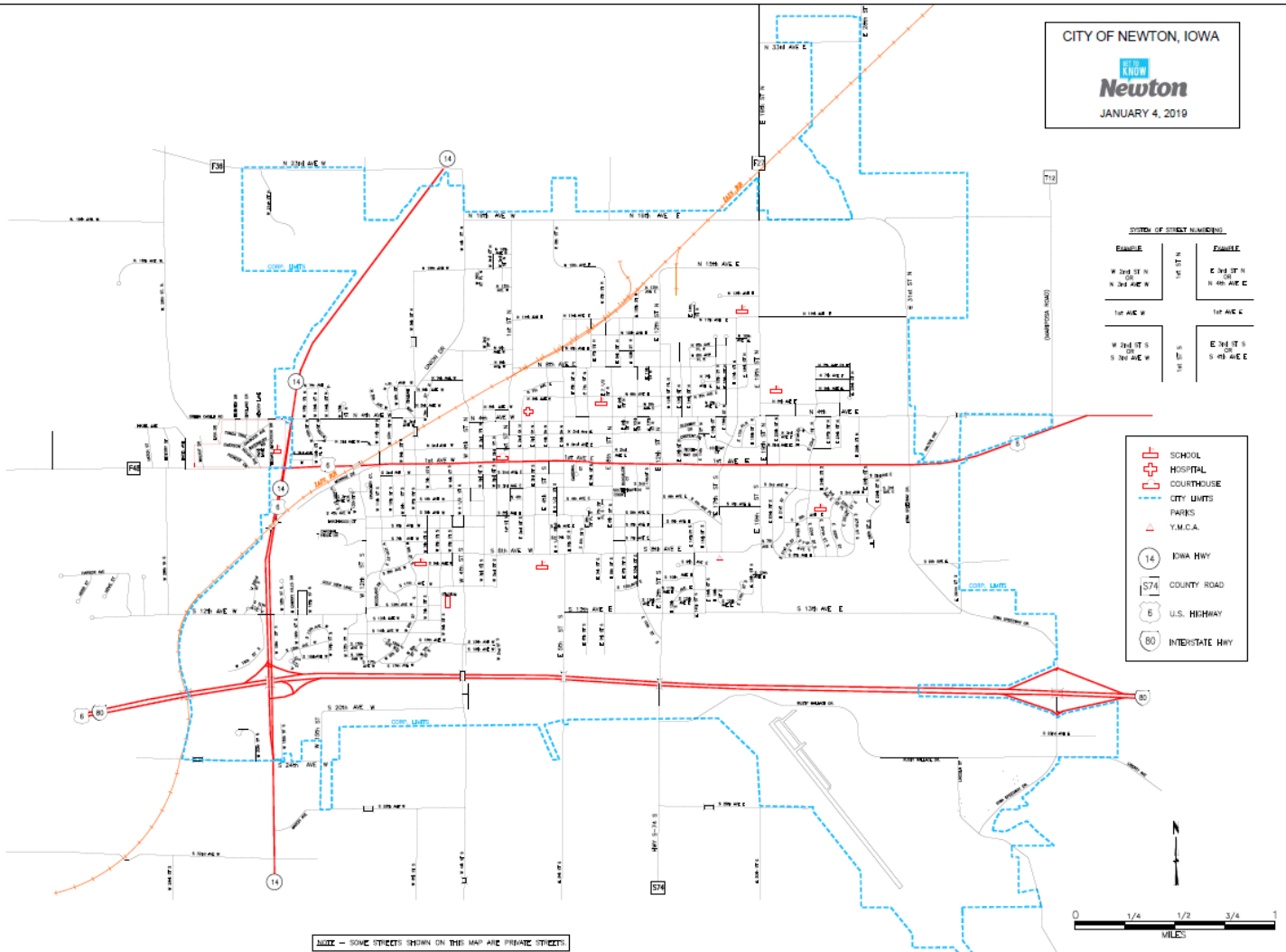
Thence East along a line 183 ft. normally distant Northerly and parallel to the South lines of Section 22 and 23, to the Easterly right-of-way line of the IAIS railroad;

Thence Northeasterly along said Easterly right-of-way line to a point 33 ft. West of the East line of the SW Quarter of Section 23;

Thence South along a line 33 ft. normally distant Westerly and parallel to said East line of the SW Quarter to a point 183 ft. North of the South line of said SW Quarter;

Thence East 216 ft. to a point 183 ft. east of the East line of said SW Quarter;
 Thence South along a line 183 ft. normally distant Easterly and parallel to the West lines of the SE Quarter of Section 23 to the South line of said Section 23;
 Thence east along said South line to a point 250.68 feet west of the SE corner of said Section 23;
 Thence North 80.33 feet along a line with an assumed bearing of N 00°00'00" W to the North Right-of-Way line of North 19th Avenue East;
 Thence N 29°52'35" W, 545.07 feet;
 Thence N 06°40'05" W, 249.21 feet;
 Thence N 43°42'50" W, 38.43 feet;
 Thence N 22°51'00" W, 188.94 feet;
 Thence N 32°59'10" W, 135.17 feet;
 Thence N 26°20'10" W, 270.37 feet;
 Thence N 52°25'15" W, 481.58 feet;
 Thence N 24°49'45" W, 336.57 feet;
 Thence N 43°11'20" W, 275.42 feet to the South line of the Iowa Interstate Railroad Right-of-Way;
 Thence northeasterly 313.06 feet along said south Right-of-Way line to the west line of the NE Quarter of the SE Quarter of Section 23-80-19;
 Thence north along said west line, and the west line of the East half of the NE Quarter of said Section 23-80-19 to the centerline of N. 33rd Ave. E.;
 Thence west along said centerline to a point 425 feet east of the west line of the NW Quarter of the NE Quarter of Section 23-80-19;
 Thence north along a line 425 feet normally distant easterly and parallel to said west line of the NW Quarter of the NE Quarter of Section 23-80-19 to the north line of said Section 23-80-19;
 Thence north 24 feet along a line 425 feet normally distant easterly and parallel to the west line of the SE Quarter of Section 14-80-19;
 Thence east along a line 24 feet normally distant northerly and parallel to the south line of said Section 14-80-19 to a point 165 feet west of the east line of said Section 14-80-19; Thence south 24 feet along a line 165 feet normally distant westerly and parallel to the east line of said Section 14-80-19 to the south line of said Section 14-80-19;
 Thence east 165 feet along the said south line of Section 14-80-19 to the SE Corner of said Section 14-80-19;
 Thence south along the East line of Section 23-80-19 to the NW corner of the South half of the SW Quarter of Section 24-80-19, which is the point of beginning.

Exhibit 2- City Limits Map:



North Central

NORTH CENTRAL DISTRICT

CITY OF NEWTON, IOWA
TIF DISTRICTS

9-13-2013

Exhibit 4- Application Form:

Application for Tax Abatement

Newton City-Wide Urban Revitalization Area

Please Type or Print

Applicant (Owner of Record): _____ Phone No. _____

Address: _____ City: _____ State: _____ ZIP: _____

Address of Property for which Tax Abatement Is Requested: _____, Newton, IA

Type of Building Improvements: _____ Building Permit No: _____

Permit Value: _____ Date Construction Completed: _____

Type of Tax Abatement Applying for (check ONLY one):

_____ **Single-Family/Owner Occupied, Residential** assessed property consisting of one (1) or two (2) separate living quarters or accessory structures such as garages- one hundred percent (100%) exemption on the value added by the improvements for a period of two (2) years, followed by fifty percent (50%) exemption on the value added by the improvements for a period of three (3) years. Projects eligible for the Newton Housing Initiative Incentives are not eligible for tax abatement. **Properties that received Newton Hosing Initiative Incentives during the previous 5 years are not eligible for tax abatement.** Assessed value must increase by 10%.

_____ ~~**Multi-Residential** assessed property consisting of three (3) or more separate living quarters. Seventy five percent (75%) exemption of value added by the improvements for 1 year, Sixty percent (60%) exemption of value added for 1 year, Forty five percent (45%) exemption of value added for 1 year, Thirty percent (30%) exemption of value added by the improvements for 1 year, Fifteen percent (15%) exemption of the value added for the improvements for 1 year. Assessed value must increase by 15%.~~

_____ **Downtown Large Project:** A single existing building located within the North Central URA and zoned C-CBD and that is part of a historic tax credit rehabilitation with a construction valuation of \$10 million or more is eligible for 100% tax exemption for 9 years.

_____ ~~**Industrial** assessed property. Seventy five percent (75%) exemption of value added by the improvements for 1 year, Sixty percent (60%) exemption of value added for 1 year, Forty five percent (45%) exemption of value added for 1 year, Thirty percent (30%) exemption of value added by the improvements for 1 year, Fifteen percent (15%) exemption of the value added for the improvements for 1 year. Assessed value must increase by 15%.~~

Acknowledgments

- (1) There were no tenants displaced by this construction, or if tenants were displaced, relocation payments were made.
- (2) The applicant certifies that all information in this application, and all information furnished in support of this application is given for the purpose of obtaining an exemption from taxes on improvements and is true and complete to the best of the Applicant's knowledge and belief. Verification may be obtained from any source named herein.

Signature of Applicant: _____ Date Signed: _____

Due Date: Must be returned to 403 W 4 ST N, Suite 501 Newton, IA 50208 by February 1 following the completion of construction.

City Council Action: Approved _____ (Resolution _____) Date: _____

Denied _____ Explanation: _____

County Assessor Action:

Reviewed and Approved _____ Date: _____

Assessed Valuation of Improvements Approved for Tax Abatement: \$ _____

Reviewed and Disapproved _____ Explanation: _____

Date Notification Sent : _____

City of Newton Council Report

Item: Resolution approving the granting of D&D 2.0 Grant Funds for the rehabilitation of a historic home at 500 1st Avenue West

Summary: CPS Consulting LLC has purchased 500 1st Avenue West. The home will be rehabilitated to provide affordable rental units with improved curb appeal.

Financial Impact: Up to \$17,636.00 from the D&D Program Funds



Report Number: 21-226

Date: April 5, 2021

Lead Department: Community Development Department

Recommendation:
Approve

Project Details: CPS Consulting, LLC is owned by Fletcher and Allison Christy. The owners have had experience with the rehabilitation of a historic home in the Sherman Hills neighborhood in Des Moines. With local ties to Newton, CPS Consulting, LLC seeks to renovate the property previously owned by the Kenneth Johnson Estate. Work will include: Exterior improvements, tree removal, driveway replacement, new roofing, foundation work, replacement of some of the windows, plumbing work and some electrical work.

Building Trades Board Recommendation: At their meeting on July 1, 2021, the Newton Building Trades Board reviewed the proposed grant request and unanimously recommended approval of grant funds in an amount up to \$17,636.00 provided a 1:1 match is met in each program area.

Recommendation: City Staff recommends approval of the resolution.

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

Matt Muckler
City Administrator

Photos of the Interior & Exterior of 500 1st Avenue West:



RESOLUTION NO. 2021 – _____

RESOLUTION APPROVING THE GRANTING OF D&D 2.0 GRANT FUNDS FOR THE REHABILITATION OF A HISTORIC HOME AT 500 1ST AVENUE WEST

WHEREAS, *Newton's Future* identifies curb appeal as a strategic objective and recommends that the City improve the quality of housing within the community; and

WHEREAS, the City of Newton established the D&D 2.0 Grant Programs to encourage private investment into the rehabilitation of at-risk properties to create clean, quality housing units throughout the community; and

WHEREAS, CPS Consulting, LLC has applied for a D&D 2.0 Grant for the rehabilitation of 500 1st Avenue West;

WHEREAS, the Newton Building Trades Board reviewed the rehabilitation project at their July 1, 2021 meeting and recommended approval of awarding grant funds to the rehabilitation 500 1st Avenue West;

NOW THEREFORE, BE IT RESOLVED by the City Council of Newton, Iowa, that D&D 2.0 Grant Funds in an amount up to \$17,636.00 be provided to CPS Consulting, LLC as a reimbursement of completed work and following the issuance of a final certificate of occupancy.

BE IT FURTHER RESOLVED by the City Council of Newton, Iowa that the Mayor is authorized to sign the D&D 2.0 Grant Program Agreement and the City shall obtain the signature(s) of the property owner on the D&D 2.0 Grant Program Agreement.

PASSED this _____ day of August, 2021.

APPROVED this _____ day of August, 2021

Michael L. Hansen, Mayor

ATTEST:

Katrina Davis, City Clerk



Newton

D&D 2.0 Rehabilitation Grant Program Agreement Between City of Newton and CPS Consulting LLC

This Agreement made and entered into this _____ day of _____ 2021 by and between the City of Newton, Iowa, hereinafter called "City" and CPS Consulting LLC, hereinafter called "Applicant."

WHEREAS, the Applicant requested D&D 2.0 grant funds for the rehabilitation of 500 1st Avenue East, Newton; and

WHEREAS, the Building Trades Board reviewed the proposed project and work elements and recommended approval of the project at their July 1, 2021 meeting;

WHEREAS, the applicant has refined the proposed work plan and project costs since the Building Trades Board Meeting to align with the description as follows in this agreement.

NOW, THEREFORE BE IT UNDERSTOOD AND AGREED:

- 1.) Grant Funds be awarded up to \$6,750.00 for exterior improvements, provided a 1:1 match is met with specifications as follows:
 - a. Improvements to home exterior:
 - i. Replace fascia board on first and second story due to wood rot;
 - ii. New seamless gutter installed on second story, first story, and top peak of home.
 - iii. New wood installed on covered porch ceiling.
 - iv. Repair and replace broken, chipped, or rotted cedar siding, leaving existing siding which remains in good condition. Seams caulked. Full exterior painted in color scheme from era of the home.
 - v. Installation of satellite dishes will not be allowed and cable required from tenants, if applicable.
 - vi. No window air conditioner units, if used, shall be installed in windows visible from First Avenue West.
 - vii. Tree located on the east side for the front yard will be removed.

viii. A section of the driveway will be broke out with new concrete poured back. The front yard will be re-graded and front approach sidewalk will be broke out and re-poured.

ix. Remove exterior second story exit and only replace if determined to be required by the adopted building codes for the City of Newton.

- 2.) Grant Funds be awarded up to \$3,036.00 for roofing, provided a 1:1 match is met with specifications as follows:
 - a. Remove old shingles, repair roof as needed, install 30-year architectural shingle which matches the new architectural shingle installed on the covered porch.
- 3.) Grant Funds be awarded up to \$2,250.00 for foundation work, provided a 1:1 match is met with specifications as follows:
 - a. Tuck pointing and skimming as needed; exterior skimming and repairs as needed
 - b. Skim coat full foundation to provide a consistent exterior look.
- 4.) Grant Funds be awarded up to \$1,600 for new windows provided a 1:1 match is met with specifications as follows:
 - a. New window(s) shall be of a style and color to match other windows of the home.
- 5.) Grant Funds be awarded up to \$750.00 for electrical work for Unit #4, provided a 1:1 match is met.
- 6.) Grant Funds be awarded up to \$3,250.00 for plumbing, provided a 1:1 match is met with specifications as follows:
 - a. Upgrade to Unit #4 bathroom including all new fixtures
 - b. Upgrade to Unit #4 kitchen plumbing
- 7.) All work shall meet the adopted codes for the City of Newton and all building permits, trades permits, and right-of-way permits shall be obtained, as required, prior to work commencing.
- 8.) Floor Layout and Exiting Plan is provided to the City of Newton.

9.) Grant funds shall be provided as a reimbursement of paid costs by the applicant. Copies of invoices, receipts or other documentation showing actual paid costs shall be provided to the City of Newton, 1700 North 4th Avenue W, Newton, IA, for verification (or via email erinc@newtongov.org). Submitted invoices shall be organized by grant program area. Photographs of the completed work shall also be submitted at the time of the request for reimbursement.

One partial payment of grant funds may be made, not to exceed 50% of the project costs during the rehabilitation process. Final reimbursement can be made after verification of expenses and issuance of a Certificate of Occupancy.

10.) The applicant may apply in the future for additional elements of rehabilitation for this home. However, D&D 2.0 funds may or may not be available at that time, and this agreement does not provide assurance of future funding.

11.) City will make timely payment of the grant funds upon completion of the verification process.

Applicant:

Allison Christy
CPS Consulting LLC

Date

For City of Newton:

Michael L. Hansen, Mayor

Date

City of Newton Council Report

**Item:**

Resolution creating Civil Engineering Tech Trainee classification in City of Newton pay Matrix.

Report Number: 21-227

Summary:

Adding Civil Engineering Tech Trainee classification to pay plan matrix.

Date:

August 16, 2021

Financial Impact:

None in year one, pay plan matrix step increase annually.

Lead Department/Division:

Public Works

Recommendation:

Approve

Background:

Since the reorganization of Public Works and Community Services in 2019, Public Works has been trying to fill a vacant Civil Engineering Tech 1 position. To date we have not received any qualified candidates. We have discovered that we are quite low on our pay ranges for a Civil Engineering Tech 1 and Tech 2 positions. This in addition to the Civil Engineering Tech positions being in extremely high demand has not been a good combination. These employees are in such high demand the state of Iowa is offering a grant program to Civil Engineering Tech students for the cost of tuition.

There is an Equipment Operator working for the City of Newton Public Works Operations/Streets that has been an exemplary employee for the past 8 years and has expressed desire to become a Civil Engineering Tech, in an effort to advance in his career with the City of Newton.

This employee has enrolled in the Civil Engineering Tech program beginning this fall at DMACC. The majority of these classes can be done remotely in the evenings as adult learning, but there would be 37 days of face to face classes over the next two years at the DMACC Boone Campus. This is a 2 year associate's degree, with the last term working in the field as a paid intern. Since this employee is already working for the City of Newton, his internship would be covered by his City of Newton employment.

The proposal is to create an Engineering Tech Trainee position and place this employee in this position, until he completes his degree, at which point he would become an Engineering Tech 1. This would be very similar to the Fire Department sending an employee to Paramedic school or the Police Department sending an employee to the Police Academy.

Recommendation:

Create Civil Engineering Tech Trainee classification in pay range 5, step 11 from the City of Newton Public Works wage scale, which is equal to his current salary as an Equipment Operator.

Matt Muckler
City Administrator

RESOLUTION NO. 2021-_____

RESOLUTION CREATING CIVIL ENGINEERING TECH TRAINEE CLASSIFICATION IN CITY OF NEWTON PAY MATRIX.

WHEREAS, Since the reorganization of Public Works and Community Services in 2019, Public Works has been trying to fill a vacant Civil Engineering Tech 1 position. To date there have no qualified candidates; and

WHEREAS, There is an Equipment Operator working for the City of Newton Public Works Operations/Streets that has been an exemplary employee for the past 8 years and has expressed desire to become a Civil Engineering Tech, in an effort to advance in his career with the City of Newton; and

WHEREAS, This employee has enrolled in the Civil Engineering Tech program beginning this fall at DMACC; and

WHEREAS, The majority of these classes can be done remotely in the evenings as adult learning; and

WHEREAS, The proposal is to create an Engineering Tech Trainee position and place this employee in this position while attending school, until he completes his degree, at which point he would become an Engineering Tech 1; and

WHEREAS, this employee would move from Union wage scale to the City of Newton pay matrix range 5 step 11; and

Position	Current Authorization	Proposed Authorization	Reporting to:
Civil Engineering Tech 1	1 FTE	0 until CET Trainee completes Degree	Public Works Director
Civil Engineering Tech Trainee	0 FTE	1 FTE, until completes degree	Public Works Director

WHEREAS, Job Descriptions for the Civil Engineering Tech Trainee were amended to reflect the reorganization as shown; 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 the Civil Engineering Tech Trainee Classification as stated.

PASSED this _____ day of August 2021.

APPROVED this _____ day of August 2021.

Michael L. Hansen, Mayor

(SEAL)
ATTEST:

Katrina Davis, City Clerk

PROPOSED PUBLIC WORKS DEPARTMENT ORGANIZATION CHART
(August 16, 2021)

