

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

Pledge

Pledge of Allegiance

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

Call to Order

1. Roll Call

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

Citizen Participation

2. Fran Henderson, 1101 S 13th Ave W, thanked council for improving our community.

Consent Agenda

Moved by Dalton, seconded by Hallam to approve consent agenda items 3-32. Moved by Ervin, seconded by Trotter to remove consent items 17, 20, and 23 from the consent agenda to discuss individually. AYES: Six. NAYS: None. The motion to consider items 17, 20, and 23 was approved. AYES: Six. NAYS: None. Consent Agenda items 3-16, 18-19, 21-22, 24-32 were adopted. It was requested that item 17 come back to the next agenda pending more details are provided to the council. Muckler explained that item 20 was an insurance process for the 2022 tornado. Muckler explained that 23 was to go out for bids on the spray park from earlier action that the council took. Once bids come in, council would have the opportunity to approve. Moved by Ervin, seconded by Wade to postpone item 17. AYES: Six. NAYS: None. Motion carried. Moved by Ervin, seconded by Hallam to approve items 20 and 23. AYES: Six. NAYS: None. Motion approved.

3. October 16, 2023 Regular City Council Meeting Minutes
4. October 16, 2023 Workshop Minutes
5. October 23, 2023 Goal Setting Workshop Minutes
6. Certify Police Officer Hiring List
7. Approve Liquor Licenses for the following: Alta House Event Center- LC0047705, 1600 East 36th Street South, Class C Retail Alcohol License; Hy-Vee Food Store #1- LE0000090, 1501 First Ave E, Class E Retail Alcohol License; Capitol II Theatre, 116 1st St N, Special Class C Retail Native Wine License
8. Resolution accepting completion of the 2023 pre-season salt purchase
Resolution 2023-299 adopted.
9. Resolution approving an agreement with Driving Cap Entertainment for a UV glow foam party at Newton Fest 2024
Resolution 2023-300 adopted.
10. Resolution appointing Toni Peska to serve on the Newton Historic Preservation Commission for an unexpired term ending December 31, 2024
Resolution 2023-301 adopted.
11. Resolution Approving a Property Tax Rebate for the GG 115, LLC Property Located Within the North Central Urban Renewal Area
Resolution 2023-302 adopted.
12. Resolution Approving a Property Tax Rebate for the Newton Elite Properties, LLC Property Located Within the 1st Avenue East Urban Renewal Area
Resolution 2023-303 adopted.
13. Resolution Approving a Property Tax Rebate for the Van Maanen Electric, Inc Property Located Within the East Mart Urban Renewal Area
Resolution 2023-304 adopted.
14. Resolution Approving a Property Tax Rebate for the Best Midwest LLC Property Located at 109 1st Ave W Within the North Central Urban Renewal Area
Resolution 2023-305 adopted.
15. Resolution accepting completion of the 2023 Streetscape Light Pole Refinishing Project
Resolution 2023-306 adopted.
16. Resolution levying assessments for costs of nuisance abatement and providing for the payment thereof (Revised Schedule 23-09)

Resolution 2023-307 adopted.

17. Resolution fixing the amounts to be assessed against individual private properties for the abatement of nuisance violations (Schedule No. 23-10)
Postponed to the 12-04-23 agenda.
18. Resolution appointing the Public Works Director and City Planner to serve on the Central Iowa Regional Transportation Planning Alliance Committees in 2024
Resolution 2023-308 adopted.
19. Resolution to provide free golf and pool passes for inclusion in the Newton Housing Development Corporation's (NHDC) 2024 Get to Know Newton Welcome Package
Resolution 2023-309 adopted.
20. Resolution awarding contract for the Eversman Field Backstop Repair Project
Resolution 2023-310 adopted.
21. 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 Westwood Clubhouse Demolition Project
Resolution 2023-311 adopted.
22. Resolution terminating the Westwood Clubhouse design services agreement with I & S Group, Inc.
Resolution 2023-312 adopted.
23. 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 Downtown Spray Park & Gathering Space Project
Resolution 2023-313 adopted.
24. Resolution approving a Telecommunications Licensing Agreement with Unite Private Networks – UPN 6208
Resolution 2023-314 adopted.
25. Resolution approving a Telecommunications Licensing Agreement with Mahaska Communication Group – Phase 4
Resolution 2023-315 adopted.
26. Resolution approving payment for an emergency storm sewer repair at 2026 1st Ave E
Resolution 2023-316 adopted.
27. Resolution Authorizing the Purchase of an additional Handheld Collector and Versaprobe Touch Reader from the Van Wert Company for Utility Billing Meter Reading
Resolution 2023-317 adopted.
28. Resolution to approve a maintenance agreement with Forbes Office Solutions, Inc.
Resolution 2023-318 adopted.
29. Resolution awarding the purchase of self-contained breathing apparatus harnesses and bottles.
Resolution 2023-319 adopted.
30. Resolution awarding the purchase of firefighter's personal protective equipment.
Resolution 2023-320 adopted.
31. Resolution Setting a Date of Meeting at Which it is Proposed to Approve a Development Agreement with Ex Nihilo LLC, Including Annual Appropriation Tax Increment Payments
Resolution 2023-321 adopted.
32. Approve Bills

Public Hearing

33. Public Hearing on Resolution awarding contract for the Water Treatment Plant Controls and Telemetry Replacement Project
Mayor Hansen stated that this is the time and place for a Public Hearing on the above Resolution. There were no written comments. Moved by Wade, seconded by Hallam to close the public hearing. AYES: Six. NAYS: None. The public hearing was closed.
34. Resolution awarding contract for the Water Treatment Plant Controls and Telemetry Replacement Project
Moved by Wade, seconded by George to adopt the Resolution. AYES: Six. NAYS: None. Resolution 2023-322 adopted.
35. Public Hearing on Resolution awarding contract for the WPC 1st St N Aerial Sewer Crossing Repair Project

Mayor Hansen stated that this is the time and place for a Public Hearing on the above Resolution. There were no written comments. Moved by Trotter, seconded by Dalton to close the public hearing. AYES: Six. NAYS: None. The public hearing was closed.

36. Resolution awarding contract the WPC 1st St N Aerial Sewer Crossing Repair Project
Moved by Hallam, seconded by George to adopt the Resolution. AYES: Six. NAYS: None. Resolution 2023-323 adopted.

Ordinance

37. First Consideration of an Ordinance Amending the Code of Ordinances, City of Newton, Iowa, Chapter 75: All-Terrain Vehicles, Off-Road Utility Vehicles, Golf Cars and Snowmobiles
Moved by Trotter, seconded by Hallam to approve the first consideration of the Ordinance. AYES: Six. NAYS: None. first Consideration of the Ordinance was approved. Moved by Hallam, seconded by Ervin to suspend the rules and waive the second and third consideration of the Ordinance. AYES: Six. NAYS: None. Motion passed. Moved by Dalton, seconded by Hallam, to adopt the Ordinance. AYES: Six. NAYS: None. Ordinance 2439 was adopted.

Resolution

38. Resolution amending Various sections of the Employee Handbook
Moved by Trotter, seconded by George to adopt the Resolution. AYES: Six. NAYS: None. Resolution 2023-324 adopted.
39. Resolution approving a low-moderate income housing set-aside grant for 1318 Glenway Drive, Newton
Moved by Trotter, seconded by Ervin to adopt the Resolution. AYES: Six. NAYS: None. Resolution 2023-325 adopted.
40. Resolution adopting the 2023 - 2025 Council Goals for the City of Newton
Moved by Dalton, seconded by George to adopt the Resolution. AYES: Six. NAYS: None. Resolution 2023-326 adopted.
41. Resolution Terminating Development Agreement with Cindy Rogers-Sell
Moved by Ervin, seconded by Trotter to adopt the Resolution. AYES: Six. NAYS: None. Resolution 2023-327 adopted.

Mayor/Council Comments

42. Mayor and Council Comments
Ervin reminded citizens of election day and encouraged people to get out and vote. He was excited to see so many throwing their hats in the ring and applauded the professionalism in the Mayoral race.

Closed Session

43. To Discuss Strategy with Counsel in Matters that Are Presently in Litigation or Where Litigation is Imminent Where its Disclosure Would be Likely to Prejudice or Disadvantage the Position of the Governmental Body in that Litigation, Which Discussions are Exempt from the Open Meetings Law Pursuant to the Provision of Section 21.5(1)(c), Code of Iowa 2022
At 6:31 p.m. it was moved by Wade, seconded by Trotter to go into closed session. AYES: Six. NAYS: None. Motion was approved. Council will take a brief recess to clear the chambers.

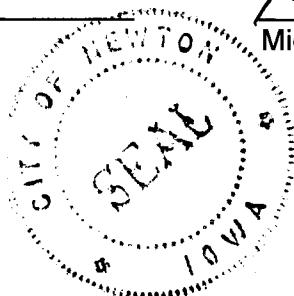
Return to Open Session

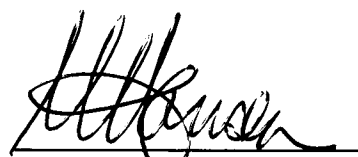
44. Return to Open Session
Council returned to open session at 7:08 p.m. with all members present.

Adjourn

Moved by Ervin, seconded by Dalton to adjourn the meeting at 7:09 P.M. Motion unanimously carried by voice vote.


Katrina Davis, City Clerk




Michael L. Hansen, Mayor