



Newton City Council Agenda

December 4, 2023 - 6:00 PM

View the City Council Meeting:

In Person

City Hall - Council Chambers
101 W 4th St S, Newton, IA 50208

Television

Mediacom Channel
12/85/121.12

Online

newtongov.org/cablecast

Pledge

Pledge of Allegiance

Call to Order

1. Roll Call

Citizen Participation

2. This is the time of the meeting that a citizen may address the Council. After being recognized by the presiding officer, each person will be given three (3) minutes to speak. Elected officials will take comments into consideration; however, this time is not intended for a discussion or entering into a dialogue. Elected officials and City staff will not answer questions or debate a citizen during the *Citizen Participation* portion of the meeting

Consent Agenda

3. November 20, 2023, Regular City Council Meeting Minutes
4. November 20, 2023 Workshop Minutes
5. Resolution approving performance agreements for the 2024 Summer Concert Series at the Maytag Bowl and July 4th activities at Agnes Patterson Park
6. Resolution accepting completion of the 2023-01 PCC Patching Project
7. Resolution for the City of Newton to take part in the Iowa Tourism Offices' Arrivalist Visitation Dashboard Co-op
8. Resolution levying assessments for costs of nuisance abatement and providing for the payment thereof (Schedule 23-10)
9. Resolution approving a Telecommunications Licensing Agreement with Unite Private Networks – UPN 6282
10. Resolution accepting completion of the Newton SLF Convenience Drop-off Expansion Project
11. Resolution accepting completion of the 2023 Highway and Symbol Painting Project
12. Resolution approving change order #1 for the 2023 Water Service project
13. Resolution Approving a Property Tax Rebate for the McCann Housing Associates, LP Property Located Within the McCann Urban Renewal Area

14. Resolution appointing Kelly Bennett to serve on the Historic Preservation Commission for an unexpired term ending December 31, 2025
15. Resolution approving a two-year contract with Governmentjobs.com, Inc. (dba "NEOGOV") for online learning management software that promotes employee training
16. Approve Bills

Public Hearing

17. Public Hearing on Proposed Development Agreement with Ex Nihilo LLC
 - On November 6, 2023, the Newton City Council unanimously approved Resolution 2023-327, terminating a development agreement with Cindy Rogers-Sell.
 - The resolution now before the City Council would approve a development agreement with Ex Nihilo LLC, the new owner of 107 1st Ave. W., which would provide a \$10,000 forgivable loan and tax rebates in an amount not to exceed \$14,000 in order to facilitate continued improvements to the building and to maintain the vibrancy of the Downtown Square.
18. Resolution Approving Development Agreement with Ex Nihilo LLC, Authorizing Annual Appropriation Tax Increment Payments and Pledging Certain Tax Increment Revenues to the Payment of the Agreement

Ordinance

19. First Consideration of an Ordinance Amending the Code of Ordinances, City of Newton, Iowa 2016, Title VII, Chapter 70, Section 70.15, Traffic and Parking Schedules Adopted by Reference, to Make Changes to the Speed Limit on West Fourth Street North and Union Drive
 - The City engineer's recommendation for the newly reconstructed W 4th St N and Union Dr. is to set the speed limit at 25 mph, a decrease from the current posted 35 mph.
 - City staff overseeing the redesign and reconstruction of these roadways received resident feedback confirming the need to reduce the speed limit for safety purposes.
 - The Traffic Safety Committee reviewed the situation and agrees with the engineer's recommendations to lower the speed limit.

Resolution

20. Resolution Amending the City of Newton Airport Fee Schedule
 - The rental fee charged for the City-owned tee-hangars at the airport has been inadvertently excluded from recent fee schedules and needs to be added.
 - The current monthly rental fee for each tee-hangar is \$160.00, and has not increased in at least 10 years.
 - Staff and the Airport Manager propose increasing said monthly rental fee from \$160.00 to \$175.00, with said increase still leaving the Newton Airport's tee-hangar rental fees comparable to other area airports.

21. Resolution approving an amendment to the real estate development agreement with Newton Housing Development Corporation (NHDC) for Arbor Estates
- With the development of Arbor Estates Second Addition, it is necessary to amend the real estate development agreement with NHDC.
 - The amendment addresses the development 28 residential lots and provides a schedule of repayment to the City by NHDC when those lots are sold.
22. Resolution approving the purchase of a Roll-Off transport truck for the Newton Sanitary Landfill
- Customers utilizing the recently expanded customer convenience center deposit their solid waste in roll-off containers. These roll-off containers are then transported and emptied at the active cell by staff utilizing a roll-off truck that can easily load and unload the containers.
 - The current roll-off truck, which was to be included in the upcoming CEP for replacement in fiscal year 2025, has become inoperable and unrepairable. Landfill staff has a daily need for this equipment to keep up with the highly-used convenience center.
 - Staff sought quotes for new and used roll-off trucks currently available within the state of Iowa and surrounding states and recommends purchasing a new 2023 Freightliner with hoist and full factory warranty for \$195,000.00.
23. Resolution approving the purchase of real estate located at 1015 North 3rd Avenue East in Newton from Newton Housing Development Corporation
- Resolution 2022-128 specified that the City of Newton would purchase 1015 North 3rd Avenue East from NHDC in the scenario that a housing redevelopment project did not proceed on the "Hatchery Site."
 - Said housing redevelopment project did not receive tax credit funding from the State of Iowa and will not proceed at this time.
 - This resolution finalizes the sale of 1015 North 3rd Avenue East from NHDC to the City.
24. Resolution awarding the purchase of Knox Box upgrade equipment
- The Fire Department utilizes a secure key access system developed by The Knox Company of Phoenix, Arizona.
 - Boxes placed on businesses provide key access in case of emergency.
 - This system upgrade provides increased security for the program.

Mayor/Council Comments

25. Mayor and Council Comments

Closed Session

26. To Evaluate The Professional Competency Of Individuals Whose Appointment, Hiring, Performance Or Discharge Is Being Considered When Necessary To Prevent Needless And Irreparable Injury To That Individual's Reputation And That Individual Request A Closed Session. Pursuant To The Provisions Of Section 21.5(1)(i), Code of Iowa 2023

Return to Open Session

27. Return to Open Session

Closed Session

28. 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 2023

Return to Open Session

29. Return to Open Session

Adjourn

The City of Newton is pleased to provide reasonable accommodations, in compliance with the Americans with Disabilities Act, for those individuals or groups who require assistance to be able to participate in the public meeting. Should special accommodations be required, please contact the City Clerk's Office at least 48 hours in advance of the meeting, at 641-792-2787 to arrange for accommodations to be provided.

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