

AGENDA

NEWTON CITY COUNCIL
City Hall
101 West 4th Street South

REGULAR MEETING
February 5, 2007
5:30 p.m.

AMERICANS WITH
DISABILITIES ACT
COMPLIANCE
CALL TO ORDER

IS THERE ANYONE PRESENT WHO MAY REQUIRE SPECIAL ASSISTANCE IN BEING ABLE TO PARTICIPATE IN THIS PUBLIC MEETING?

Roll Call

OATH OF OFFICE CEREMONY

1. Mayor Allen To Swear In Officer Ryan Pieper

CITIZEN PARTICIPATION

2. This is the time of the meeting that a citizen may address the Council on a matter not on the agenda. 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

3. Approve January 15, 2007 Regular City Council Meeting Minutes

4. Approve Class C Beer Permit, Carryout Wine, Fareway, 120 North 3^d Avenue East

5. Approve Class C Liquor License, Sunday Sales, Cardinal Lanes, 1300 South 5th Avenue East

6. Resolution Appointing Police Chief Thomas Wardlow To Serve On Jasper County Enhanced 911 Service Board

7. Designate The Time And Date For A Public Hearing On The 2007 – 08 Operating Budget

PUBLIC HEARING

ORDINANCE

8. Ordinance Amending Title 4, Chapter 34 Of The Code Of Ordinances Of The City Of Newton, Iowa And The Zoning Map Adding “Educational Facilities” As A Permitted Use In C-CBD: Central Business District Commercial Zone And Rezoning The DMACC And Whirlpool (Maytag) Properties To C-CBD From I-H Heavy Industrial (Council Report 07-019)

- The proposal is to add “educational facilities” as a permitted use under 34.04031 C-CBD: Central Business District Commercial and to rezone DMACC and the former Maytag Plant #1 and Headquarters properties from I-H: Heavy Industrial to C-CBD: Central Business District Commercial.

RESOLUTION

9. Resolution Approving The Final Plat For Synergy Addition In The City Of Newton, Jasper County Iowa (Council Report 07 - 018)

- Synergy Addition is a 3-lot subdivision of the Maytag Plant # 1 property located on the west side of the 200 block of West 4th Street North.

10. Resolution Approving A 28E Agreement With The Newton Community School District For The School Resource Officer Program (Council Report 07 - 017)

- Recently, administrators from the Newton Community School District approached the City to discuss the possibility of reinstating the School Resource Officer (SRO) position. This was based upon their comparison of their current juvenile liaison program with the effectiveness of the past police School Resource Officer position. City staff made clear to them that any agreement for a renewed SRO program would be contingent on an increased contribution from the school district and Council's approval.

- 11. Resolution Approving Farm Compensation In The Speedway Urban Renewal Area For A Property Located In The West Half Of Section 2, Township 79 North, Range 19 West Of The 5th PM (Council Report 07-011)**
 - The roadway work for the Iowa Speedway area that took place in 2006 interfered with farming operations. Farmers of impacted land are eligible to receive compensation for crops that were damaged, for lost income, and for rent that was paid for land that was not available.
 - 6.65 acres of land that Van Gilst has leased were not available for farming. He has a contract for three additional years of farming rights, for which the income will be lost. Van Gilst has agreed to \$4,992.25 in compensation for his losses. This would be paid from the bond funds the City is using for right-of-way acquisition in the Speedway project area.

- 12. Resolution Approving Farm Compensation For Properties Located In The East Half Of Sections 1 And 12, Township 79 North, Range 19 West Of The 5th PM (Council Report 07-012)**
 - The roadway work for the Iowa Speedway area that took place in 2006 interfered with farming operations. Farmers of impacted land are eligible to receive compensation for crops that were damaged, for lost income, and for rent that was paid for land that was not available.
 - John Welle is the farm operator for the Beukema land adjacent to Iowa Speedway Drive both north and south of the Interstate. The Beukema land provides the majority of the property that the City is acquiring for the road and sewer project, so the impact to Welle was substantial. Having Welle compensated fairly is very important to the Beukema family. During the 2006 farming season, Welle was unable to utilize 22.8 acres he had leased for cropland. Including pasture, he lost income from 42.8 acres. Welle also had 2.1 acres of beans damaged by the construction. Welle has agreed to \$10,127.90 in compensation for all of these losses. The compensation would be paid from the City's Speedway project right-of-way acquisition funds.

- 13. Resolution Fixing Date For A Meeting On The Authorization Of A Loan And Disbursement Agreement And The Issuance Of Not To Exceed \$2,800,000 Sewer Revenue Capital Loan Notes Of Newton, Iowa, And Providing For Publication Of Notice Thereof (Council Report 07-015)**
 - We are now prepared to proceed with fixing the date to issue a \$2,800,000 Capital Loan Note. The Iowa DNR, acting jointly with the Iowa Finance Authority, has agreed to make the City a low interest loan that will be secured and evidenced by a Sewer Revenue Capital Loan Note that will be issued to the Iowa Finance Authority at the time the loan is closed. Prior to commencing this project, the \$600,000 recently surplused from the WPC will be transferred back

- 14. Resolution Ordering Bids, Approving Plans, Specifications And Form Of Contract And Notice To Bidder, 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 Newton Wastewater Grit Removal And Pump Station Improvements Project (Council Report 07-013)**
 - Plans and specifications have been completed for the Newton Wastewater Grit Removal and Pump Station Improvements Project. We are now ready to go out to bid.
 - This resolution sets the letting date for March 8th at 2:00 p.m. and the public hearing for March 19th at the regular council meeting. On March 19th, the council will then have the opportunity to consider the bids and act accordingly.

15. Resolution Authorizing Purchase Of Equipment And Transfer Of Funds By Allocating \$495,700 From The Local Option Sales And Services Tax Revenue (Council Report 07-016)

- As presented at the January 29, 2007 Budget Workshop there would be a request to transfer LOSST Revenues in this fiscal year. During the presentation we noted the need to transfer funds in to the Insurance Fund to fill a shortfall and to alleviate the need for an additional levy amount in the Trust and Agency Fund. The transfer is for \$450,000 and will close the gap and balance the Insurance Fund.
- The capital equipment request is for items that we need to purchase and have delivered prior to our mowing season for the Parks and Public Works Departments. The Fire Department's request for 3 evacuation chairs will replace 20+ year-old equipment with ones that are more usable in confined spaces.

NEW BUSINESS

16.

CLOSED SESSION

17. 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 2006

RETURN TO OPEN SESSION

18.

ADJOURN