

AGENDA

NEWTON CITY COUNCIL
City Hall
101 West 4th Street South

REGULAR MEETING
May 7, 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

CITIZEN PARTICIPATION

1. 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

2. Approve April 16, 2007 Regular City Council Meeting Minutes and April 23, 2007 and April 30, 2007 Special City Council Meeting Minutes
3. Designate May 21, 2007 as Public Hearing Date For Budget Amendments
4. Resolution Adopting June 2006 Supplement To The Code Of Ordinances, City of Newton, Iowa 1993, And Approving Distribution Of The Same To Code Subscribers
5. Resolution Adopting September 2006 Supplement To The Code Of Ordinances, City of Newton, Iowa 1993, And Approving Distribution Of The Same To Code Subscribers
6. Resolution Adopting December 2006 Supplement To The Code Of Ordinances, City of Newton, Iowa 1993, And Approving Distribution Of The Same To Code Subscribers
7. Approve Class B Beer Permit, Sunday Sales, Pizza Hut, 1337 First Avenue East
8. Approve Class C Liquor License, Sunday Sales, Scoreboard, 122 North 2nd Avenue West

PUBLIC HEARING

9. Resolution Approving City Of Newton City-Wide Urban Revitalization Plan Revisions (Council Report 07-051)
 - In order to allow for the standard residential tax abatement currently in place for the rest of Newton to be available in the North Central Urban Renewal Area, the Urban Revitalization Plan would need to be modified. The above resolution would make such a revision to the plan.

ORDINANCE

10. Ordinance Amending Title 2, Chapter 11, Articles 6, Of The Code Of Ordinances Of The City Of Newton, Speed Limits For Iowa Speedway Drive And Rusty Wallace Drive (Council Report 07-058)
 - In September 2006, the City Council amended the City's ordinances to reflect roadway name changes, add stops and regulate parking on the new roads in the vicinity of the Iowa Speedway.
 - This ordinance establishes a 35 m.p.h. speed zone per the map and discussions held at the April 2 City Council meeting.

RESOLUTIONS

11. Resolution Approving The 2007 – 2008 Non-Union Compensation Plan (Council Report 07-052)
 - The pay range dollar amounts in the 2007-08 non-union compensation plan has been adjusted by a 3.25% COLA increase. This is in line with other increases the Council has approved for other City employees.

- 12. Resolution Authorizing The Parks And Recreation Director To Solicit And Gather Bids For The Removal And Disposal Of Dangerous Hanging Limbs From Trees Throughout The Newton Park System And Further Authorizing The Parks Director To Enter Into A Contract For Said Work Not To Exceed \$32,500 (Council Report 07-053)**

 - FEMA officials met with Parks staff to assess the “eligible hanger” damage and have placed the removal and cleanup costs at \$32,500. For this work to proceed, bids from qualified tree trimming contractors must be secured. FEMA regulations specify that this work must be completed within 6 months from the time of Disaster Declaration on March 13, 2007.
 - This resolution authorizes the Parks Director to proceed with soliciting and gathering bids and further authorizes the Parks Director to enter into a contractual agreement for this work not to exceed \$32,500.
- 13. Resolution Accepting Public Improvements Within The Cupples Subdivision (Council Report 07-054)**

 - The engineer has certified the improvements and has found them to be in compliance with the plans and specifications and the city council can now act to accept the infrastructure.
- 14. Resolution Fixing Date For A Meeting On The Authorization Of A Loan Agreement And The Issuance Of Not To Exceed \$615,000 General Obligation Capital Loan Notes (For A General Corporate Purpose) Of Newton, Iowa, And Providing For Publication Of Notice Thereof (Council Report 07-055)**

 - The public hearing will be held at the regular city council meeting on May 21, 2007.
 - The proceeds of the issuance will be used to pay costs of replacing and reimbursing the funds advanced to Jasper County, Iowa from the Sewer Enterprise Fund of the City under the Intergovernmental Agreement dated August 9, 2006, which funds were advanced for the purpose of terminating the Southeast Interchange Urban Renewal Area of the County and the payment of the related indebtedness of the County and permitting the establishment by the City of the Prairie Fire Economic Development Urban Renewal Area.
- 15. Resolution Fixing Date For A Meeting On The Authorization Of A Loan Agreement And The Issuance Of Not To Exceed \$130,000 General Obligation Capital Loan Notes Of Newton, Iowa, And Providing For Publication Of Notice Thereof (Council Report 07-060)**

 - The public hearing will be held at the regular city council meeting on May 21, 2007.
 - The proceeds of the issuance will be used to pay costs of aiding in the planning, undertaking and carrying out of urban renewal project activities under the authority of Chapter 403 of the Code of Iowa and the Urban Renewal Plan for the Southwest Newton Urban Renewal Area, including the funding of an economic development grant to T and C Knight, LLC, d/b/a/ Pizza Ranch, under the terms of an Agreement for Private Redevelopment with said developers.
- 16. Resolution Acceptance Of A Real Estate Deed From First Federal Bank Properties Located In The Subdivision Of Block A, Morgan’s Acres, City Of Newton, Jasper County, Iowa (Council Report 07-056)**

 - The City entered into a development agreement with First Federal Bank to have a new bank building constructed at the corner of First Avenue and East 19th Street South. The City assisted with the acquisition of part of the property, owned by Kerr-McGee. In exchange, the bank purchased land from the City, added a turn lane to East 19th Street, and agreed to donate the necessary right-of-way to the City along First Avenue and East 19th Street

17. Resolution Approving Purchase And Acceptance Of Real Estate And Public Utility Easements From Property Located In Sections 1 and 12, Township 79 North, Range 19 West Of The 5th PM In Jasper County, Iowa (Council Report 07-057)

- The roadway work for the Iowa Speedway area is almost entirely complete. The City is in the process of finalizing the right-of-way acquisition. The largest single piece of property acquired as part of the Speedway project is from the Beukema family. This resolution agrees to accept a donation of all of the land south of the Interstate, amounting to nearly 30 acres. This land has been appraised for \$169,000, but could cost more if the City were to be negotiating a purchase. The resolution also agrees to pay \$79,716 for a sliver of right-of-way and easement from Beukema-owned land north of the Interstate. This land was not part of the original agreement with the Beukemas, and the purchase price is consistent with other Council-approved purchases in the vicinity.
- Finally, the resolution sets out some terms for the agreement, obligating the City to stand behind the representations made in negotiating for the donation of the bulk of the Beukema property.

18. Resolution Paying Elim Care, Inc. \$6,000 Tax Rebate Per The Development Agreement (Council Report 07-059)

- In the fifth amendment of agreement for private redevelopment with Elim Care, Inc. (Newton Village), it states that for calendar year 2007, the City shall rebate to Elim any property taxes paid in excess of \$150,000. Likewise, for calendar year 2008, the City shall rebate to Elim any property taxes paid in excess of \$150,000. These rebates supersede the \$500,000 cap placed on the total rebate amount. We have received documentation from Elim of the March 2007 taxes paid in the amount of \$156,000. Therefore, Elim is requesting a rebate of \$6,000.

NEW BUSINESS

19.

ADJOURN