

## AGENDA

NEWTON CITY COUNCIL  
City Hall  
101 West 4th Street South

REGULAR MEETING  
June 4, 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

PRESENTATION

1. Tom Wardlow, Police Chief Presents Jeff Hoebelheinrich recent graduate from the National Academy

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 May 21, 2007 Regular City Council Meeting Minutes and May 24, 2007 Special City Council Meeting Minutes
4. Approve Cigarette Permits Submitted By West End, 1325 First Avenue West, Newton 66, 1806 South 12<sup>th</sup> Avenue West, Kum & Go # 47, 1708 First Avenue East, Stein's, 219 North 2<sup>nd</sup> Avenue West, Cardinal Lanes, 1300 South 5<sup>th</sup> Avenue East, Fareway # 848, 120 North 3<sup>rd</sup> Avenue East
5. Approve Special 5day, Special Class C Liquor License, Maytag Park For Iowa Sculpture Festival, Okoboji Bar & Grill
6. Approve Class E Liquor License, Sunday Sales, Carryout Wine, Carryout Beer, Hy-Vee # 2, 1302 First Avenue West
7. Approve Class B Liquor License, Newton Inn, 2000 West 18<sup>th</sup> Street South

PUBLIC HEARING

8. Resolution Approving Agreement For Private Redevelopment With Douglas & Jones Development, LLC, Located At 4300 South 22<sup>nd</sup> Avenue East Within The Prairie Fire Economic Development Area (Council Report 07-081)
  - David Fisher, of Douglas & Jones Development, LLC, in Newton, has brought forth a proposal to construct a gas station/convenience store at 4300 South 22<sup>nd</sup> Avenue East, in Metro East I subdivision south of Interstate 80 on the west side of Iowa Speedway Drive. Fisher has led a group of local Newton investors to propose this project as an independent store and station that will provide a variety of services including a bakery and a full service deli. The independence would allow the development to carry local products and it is the intent of the developer to utilize the project as a means to connect Interstate travelers to the features and amenities in the rest of the community.
  - The building itself will be 3,520 square feet, with a total project cost of over \$1.5 million. Extensive landscaping, brick façade, and prairie plantings are proposed, consistent with the design theme of the Prairie Fire Economic Development Area.
9. Resolution Approving Development Agreement With Grandview Development Group, Inc. For A Gas Station / Convenience Store / Restaurant On Property Located Within The Prairie Fire Economic Development Area (Council Report 07-080)
  - Tom Wertzberger, of Grandview Development Group, Inc., in Marshalltown, has brought forth a proposal to construct a combination BP gas station/Wendy's restaurant/convenience store with a possible contingency of at least a 50 room hotel with an assessed value of \$3,550,000 making a total project cost of \$5,000,000 in improvements

at 4301 South 22<sup>nd</sup> Avenue East, in Metro East I subdivision south of Interstate 80, west of Iowa Speedway Drive. This would be a 5,000 square foot building. Wertzberger is an architect who will design the building to conform with the site and design standards for the Prairie Fire District. The project is anticipated to start this summer, with an opening this fall.

## ORDINANCE

10. **Third Consideration Of An 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 07-074)**
  - The first consideration of this ordinance passed on May 14, 2007. The second consideration passed on May 21, 2007. Pass third consideration and then pass adoption of ordinance into law.

## RESOLUTIONS

11. **Resolution Directing Sale Of \$740,000 General Obligation Capital Loan Notes, Taxable Series 2007A (Council Report 07-079)**
  - This resolution directs the sale of the capital loan notes to the best bidder. In order to proceed with the other resolutions it must be an affirmative vote equal to a majority of the full council membership.
12. **Resolution Appointing Bankers Trust Company, N.A. Of Des Moines, Iowa, To Serve As Paying Agent, Registrar, And Transfer Agent, Approving The Paying Agent And Registrar And Transfer Agent Agreement And Authorizing The Execution Of The Agreement (Council Report 07-079)**
  - This resolution appoints Bankers Trust Company, N.A. to serve as Paying Agent, Registrar and Transfer Agent.
13. **Resolution Approving And Authorizing A Form Of Loan Agreement And Authorizing And Providing For The Issuance Of \$740,000 General Obligation Capital Loan Notes, Taxable Series 2007A, And Levying A Tax To Pay The Notes (Council Report 07-079)**
  - The City Council has held a public meeting and hearing on the proposal to institute proceedings for the authorization to enter into a loan agreement and to issue the notes for said general corporate purpose. No petition for referendum was received; the Council is therefore authorized to proceed with the issuance.
14. **Resolution Setting Public Hearing And Authorizing Publication And Notice For Airport Ground Lease And T-Hangar Agreement (Council Report 07-075)**
  - The 30-year lease agreement that allows an existing six (6) unit T-Hangar owned by Johnson Aviation to exist on airport property has expired. A new lease agreement needs to be approved. This resolution sets the public hearing for this matter for July 2<sup>nd</sup>, 2007.
15. **Resolution Appropriating An Additional \$1,500 For The Annual 4<sup>th</sup> Of July Fireworks Display (Council Report 07-076)**
  - The FY 07-08 operating budget contains \$7,500 for the annual July 4<sup>th</sup> fireworks display. As 2007 marks our Community's 150<sup>th</sup> year, it is suggested that an additional \$1,500 be added to increase the size of the fireworks show in celebration of that event. The additional \$1,500 would increase the size of the show by approximately 20% and boost the number of shells from 1,349 to 1,618.
16. **Resolution Ordering Bids, Approving Plans, Specifications And Form Of Contract And Notice To Bidders, Fixing Amount Of Bidder's Check, And Ordering Clerk To Publish Notice And Fixing Date For Receiving Same, And For A Public Hearing On Plans, Specifications, Form Of Contract**

**And Estimate Of Costs For The north Newton Hike And Bike Trail Project  
(Council Report 07-077)**

- The engineering division has completed plans and specifications and we are now ready to proceed with obtaining bids for the North Newton Hike and Bike Trail Project. As a federally funded project, the bids will be let through the Iowa Department of Transportation in Ames on June 19, 2007.
- This resolution sets July 2, 2007 for the public hearing for the project. At that time, it is anticipated that the bid results will also be presented, pending Iowa DOT approval, for the council's consideration and approval.

**DISCUSSION**

**17. Discussion Concerning Newton City Council Authorizing Public Funds For Newton Skate Park Project (Council Report 07-078)**

**DISCUSSION**

**18. Newton Promise**

**NEW BUSINESS**

**19.**

**ADJOURN**