

## AGENDA

NEWTON CITY COUNCIL  
City Hall  
101 West 4th Street South

REGULAR MEETING  
August 20, 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  
CONSENT AGENDA

1. **Municipal Band**
2. **Approve August 6, 2007 Regular City Council Meeting Minutes**
3. **Approve Iowa Risk Management Agreement for The Iowa Communities Assurance Pool**
4. **Resolution Appointing Frank Liebel To Serve On The Water Board For The Unexpired Term Ending December 31, 2011**
5. **Approve DMACC Conference Center, Class C Liquor License, Catering Privilege, Outdoor Service Area, Sunday Sales, 600 North 2<sup>nd</sup> Avenue West**
6. **Approve LaCorsette Mason Inn, Special Class C Liquor License, Carryout Wine, Living Quarters, Sunday Sales, 629 First Avenue East**
7. **Approve Raceway Motor Sports Café, Class C Liquor License, Outdoor Service, Sunday Sales, 2331 First Avenue East**
8. **Approve Hy-Vee Drugstore, Class E Liquor License, Carryout Beer Permit, Carryout Wine, Sunday Sales, 1207 First Avenue East**
9. **Resolution Approving Development Agreement With Newton Food and Fuels, LLC, For A Gas Station / Convenience Store / Restaurant On Property Located Within The Prairie Fire Economic Development Area (Council Report 07-113)**

PUBLIC HEARING

- 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 at 4301 South 22<sup>nd</sup> Avenue East. This would be a 5,000 square foot building with a project cost of over \$2.5 million. 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 be constructed this fall.

ORDINANCE

10. **Ordinance Amending The Code Of Ordinances, City Of Newton, Iowa, 1993, Title 2, Chapter 11, Article 8, Other Traffic Offenses – Stops, By Deleting Section 11.0802.407(B) And Adding Section 11.0802.4(B), Special Stops Required, To Remove Stop For Eastbound Traffic On North Eighth Avenue East At East Fourth Street And Require A Stop On East Fourth Street North At North Eighth Avenue East (Council Report 07-108)**
  - There have been requests for this action by the City to facilitate traffic flow and bring the traffic control at this T-intersection into a configuration that matches many T-intersections.

RESOLUTIONS

11. **Resolution Approving 28E Agreement Between The City Of Newton And DMACC For DMACC To Administer A \$250,000 Regional Innovation Grant From The U.S. Department Of Labor Employment And Training Administration (Council Report 07-112)**
  - In March, the City of Newton received a \$250,000 Regional Innovation Grant from the Department of Labor for regional planning. This first-of-its-kind grant, awarded through the Employment and Training Administration of the Labor Department, is intended to allow Newton and its surrounding areas to investigate the characteristics

and location of the local economic region (or regions). This data will then be used to formulate a regional economic strategy to successfully transition after Maytag's departure. Other grant activities include resource mapping, social network mapping, education, outreach, and leadership development.

**12. Resolution Approving An Engineering Services Agreement With Shuck-Britson, Inc. For The Monroe Drive Box Culvert Drop Structure (Council Report 07-110)**

- Under Monroe Drive exists a 6' X 6' box culvert that carries storm water under the roadway. Decades of erosion and deterioration have precipitated the need to install a drop structure at the end of the existing box culvert down to the now much lower streambed.
- The resolution approves the engineering services agreement for the structure. The estimated cost is \$15,410; however, pending functional AutoCAD software in the Engineering Division of Public Works, survey could be done in-house reducing the estimated expense to \$11,910.

**13. Resolution Authorizing Publication Of Notice Of Public Hearing On Sale Of Property Located At 815 West 6<sup>th</sup> Street South Through The City Of Newton Dangerous & Dilapidated Program (Council Report 07-109)**

- This resolution sets a public hearing for the sale of the property at 815 West 6<sup>th</sup> Street South for September 4, 2007.

**14. Resolution Approving Five (5) Year Agreement With The Iowa Department Of Transportation For City Maintenance Of U.S. Highway 6 (Council Report 07-111)**

- Every five (5) years, the Iowa Department of Transportation (IDOT) presents cities a maintenance agreement for the maintenance and repair of primary highways through those cities. The current five (5) year agreement needs to be renewed.
- The proposed agreement is identical to the previous agreement. However, the IDOT has agreed to up the reimbursement rate from \$850/lane mile to \$950/lane mile effective July 1, 2007 and continuing on through the rest of the agreement (\$7,956 increasing to \$8,892).

**CITIZEN PARTICIPATION**

**15. 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.**

**DISCUSSION**

**16. Nuisance Officer**

**NEW BUSINESS**

**17.**

**RESOLUTION**

**18. Resolution Approving Consulting And A Services Agreement With The Same For The Proposed Maytag Demo Project (Council Report 07-114)**

- This resolution first approves Shive-Hattery as the consultant for the project. This resolution also approves the Proposal for Services for Phase I efforts, which includes the removal of site utilities including necessary terminating, capping and modifications to the left-in-place utilities in order to allow independent ownership of several of the buildings.

**ADJOURN**