

AMENDED AGENDA

NEWTON CITY COUNCIL
City Hall
101 West 4th Street South

REGULAR MEETING
September 4, 2007
5:30 p.m.

AMERICANS WITH
DISABILITIES ACT
COMPLIANCE
CALL TO ORDER
CITIZEN PARTICIPATION

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

Roll Call

PRESENTATION
CONSENT AGENDA

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.

2. Municipal Band

3. Approve August 20, 2007 Regular City Council Meeting Minutes

4. Resolution Appointing Jeff Maki To Serve On The Planning And Zoning Commission For The Unexpired Term Ending December 31, 2009

5. Resolution Appointing Lin Chape To Serve On The Animal Rescue League Board For The Expired Term Ending On June 30, 2011

6. Resolution Reappointing Rose Trapp To Serve On The Animal Rescue League Board For The Term Ending June 30, 2010

7. Resolution Approving The 2006 – 2007 Annual Financial Report For City Streets And Parking

8. Approve Class C Liquor License, Outdoor Service, Sunday Sales, La Cabana Mexican Restaurant, 2617 First Avenue East, Suit 5 & 6

9. Approve Class C Liquor License, Catering Privilege, Outdoor Service, Sunday Sales, Okoboji Grill, 1425 West 19th Street South

PUBLIC HEARING

10. Resolution Approving Sale Of D & D Property Located At 815 West 6th Street South (Council Report 07-123)

- The City acquired the property at 815 West 6th Street South on January 31st of this year. The City paid \$20,880 for the property and \$5,040 for demolition and utility disconnections. In the subsequent months, the City has not received other interest in lot. A flyer advertising the property was sent in August to fifteen local builders, with no response.
- Blueprint Development, Inc. has now made a proposal to purchase and redevelop the lot.
- Staff recommends that Council continue the public hearing so that a more favorable purchase agreement can be reached.

ORDINANCE

11. Ordinance Amending The Code Of Ordinances, City Of Newton, Iowa 1993, Title 2, Chapter 11, Article 10, Parking Offenses, By Deleting Section 11.1008.16(A)(3)(a), No Parking, East Fifth Street South, Eastside, From A Point Sixty Feet North Of South Eighth Avenue East (Council Report 07-115)

- In 1997, the resident at this location had requested a no parking area in front of her residence to facilitate the transportation of a disabled person. The resident has now requested that the restriction of the no parking signs be removed. The west side of the street has no parking throughout the block so this action would free up needed parking in that area.

SECOND CONSIDERATION

ORDINANCE

12. **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.
 - Public Works can do the survey in-house reducing the estimated expense to \$11,910.

RESOLUTIONS

13. **Resolution Approving Engineering Services Agreement For A Facility Plan Study For The City Of Newton Wastewater System (Council Report 07-118)**
 - The engineering services agreement with Fox Engineering to perform a facility plan study for our wastewater facilities in the amount of \$38,000. This study, last performed eight (8) years ago in 1999, will aid us in planning for future upgrades and improvements to both our collection system and treatment facilities.
14. **Resolution Approving 28E Agreement With The State Of Iowa Alcoholic Beverage Division Of The Department Of Commerce Supporting Tobacco Compliance Checks (Council Report 07-116)**
 - The proposed agreement requires the Police Department to perform one compliance check on each tobacco retailer within our jurisdiction, with a second check on those found to be noncompliant at the first check, and cooperate in the “Cops in Shops” program, all by June 30, 2008. In return for this enforcement activity, we will be paid \$50.00 for each compliance check.
15. **Resolution Approving An Agreement With The Newton School District For The Newton Police Department TO Provide School Crossing Guards And DARE Instruction For The 2007 – 2008 School Year (Council Report 07-117)**
 - The Newton Police Department has provided three school crossing guards to the school district for many years. During that time, the school district has reimbursed the police department for 50% of the costs of those guards. The department also provides Drug Abuse Resistance Education (DARE) classes for 6th grade students. It is beneficial to formalize these arrangements as we have done in the past with a 28E agreement. Said agreement would provide for a payment of 50% of the cost of the crossing guards, and for up to \$2,500 for DARE instructors.
16. **Resolution Approving Uniform Service Contract With CINTAS For Public Works Employee Uniforms (Council Report 07-119)**
 - The City’s collective bargaining agreement with the Teamsters that covers the bargaining employees of the Public Works Department requires the city to provide and maintain uniforms for the employees. For the past five (5) years, CINTAS has provided this service.
17. **Resolution Approving An Agreement For Urban-State Traffic Engineering Program (U-STEP) With The Iowa Department Of Transportation For The 2007 City Of Newton Traffic Signal PROJECT (Council Report 07-120)**
 - Hy-Vee has been working to build a brand new grocery store on the east side of Newton. Part of these planned improvements includes increasing the radius at the southeast corner of the north entrance on 1st Avenue (at E. 14th St.) This change requires the relocation of the traffic signal pole at that corner of the intersection.
 - There are two options. (1) Hy-Vee relocates the existing traffic signal pole at the southeast corner of the intersection as part of the radius improvements and makes no further improvements. There is no cost to the city, but old signals remain. (2) Completely upgrade the entire traffic signals at that intersection to current standards utilizing the contribution from Hy-Vee towards the project.

- For option 2, the IDOT has agreed to 55% of estimated construction costs (\$126,000-includes pedestrian signals at E. 17th St.). Hy-Vee has agreed to pay 35% of the estimated construction costs and engineering (\$138,000--excludes pedestrian signals at E. 17th St.). This would leave \$26,400 in estimated city expense for construction and engineering.
18. **Resolution Approving An Engineering Services Agreement With Engineering Alliance, Inc. For The 2007 Traffic Signal Improvements Project (Council Report 07-121)**
 - As described in the council report regarding the U-STEP agreement with the Iowa Department of Transportation, this resolution approves the engineering agreement necessary for the 2007 Traffic Signal Improvements Project in the amount of \$17,930.
 19. **Resolution Approving An Architectural Services Agreement With FEH Associates, Inc. For The Book Drop Addition To The Newton Public Library (Council Report 07-122)**
 - The Newton Public Library Foundation voted in a special meeting on June 1 to provide funding for the drive-up book drop addition to the library building. The library board voted in their regular July meeting to accept this gift and requests City Council approval to construct a drive-up book drop with this generous gift from the library foundation. The attached resolution is for architectural services to prepare construction documents for \$16,706.84. The overall project costs are estimated to be \$160,930.54 and the Library Foundation financing 100%.
 20. **Resolution Approving A Memorandum Of Agreement Between The City Of Newton And Iowa State Historic Preservation Regarding Buildings In The Maytag Plant 1 (Synergy Addition) Redevelopment Project(Council Report 07-124)**
 - The City of Newton and the Synergy Partners have cooperated to develop and now implement a redevelopment agreement for the former Maytag Plant 1 buildings. Because the property is qualified for the National Registrar SHPO requested that the City hold a Public Meeting and have public input on possible mitigation efforts to preserve the history of the plant. The Public Meeting was held on August 21, 2007. Prior to that meeting the Advisory Council on Historic Preservation was contacted to and they have chosen not to participate.
 - The additional expense of the mitigation will be absorbed into the overall project cost and or donated by Whirlpool. Once we have the signature of SHPO and Whirlpool then SHPO will issue a letter of release and the final public notices will go out and the final 45 –days to Release of Funds will commence.

DISCUSSION

NEW BUSINESS

ADJOURN

21. Sale of Former RSVP Building

22.