

AGENDA

NEWTON CITY COUNCIL
City Hall
101 West 4th Street South

REGULAR MEETING
October 15, 2007
5:30 p.m.

AMERICANS WITH
DISABILITIES ACT
COMPLIANCE

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

CALL TO ORDER

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 October 1, 2007 Regular City Council Meeting Minutes
3. Approve Class B Native Wine, Iowa Speedway, 3333 Rusty Wallace Drive
4. Approve Class C Liquor License, Sunday Sales, Veteran's of Foreign Wars Post # 1655, 315 First Avenue West
5. Approve Class C Beer Permit, Sunday Sales, Casey's # 1375, 1006 North 19th Avenue East
6. Approve Class C Beer Permit, Sunday Sales, Casey's # 2417, 1200 West 18th Street South
7. Approve Class C Liquor License, Outdoor Service Area, Sunday Sales, Senor Tequila, 1820 South 12th Avenue West

CONTINUED

PUBLIC HEARING

8. Resolution Approving The Voluntary Annexation Of Property Approximately 3 Acres Located In Section 1, Township 79 North, Range 19 West Of The 5th PM Into The City Of Newton, Jasper County, Iowa (Council Report 07-153)
 - This annexation request was continued from the October 1, 2007 City Council meeting. The reason for continuing the Public Hearing and Resolution was to allow staffs time to have a question answered by the State.
 - The City received consent to voluntary annexation from Jim and Janet Rader for a 2.87-acre undeveloped property at 2640 Lincoln Street.
9. Resolution Approving The East-Mart Economic Development Area Urban Renewal Plan (Council Report 07-151)
 - This resolution was continued from the October 1, 2007 City Council meeting. There are no changes in the resolution and the remaining council report is the same as Council Report 07-141.
 - The City proposes to establish the East-Mart Economic Development Urban Renewal Area in the general vicinity of the intersection of Highway 6 (First Avenue East) and Iowa Speedway Drive/East 31st Street North. This would provide the City with a tool that could potentially be used to facilitate more development.

ORDINANCE

10. Ordinance Providing That General Property Taxes Levied And Collected Each Year On All Property Located Within The East-Mart Economic Development Urban Renewal Area In The City Of Newton, Iowa, By And For The Benefit Of Jasper County, The City Of Newton, Newton Community School District, And Other Taxing Districts, Be Paid To A Special Fund For Payment Of Principal And Interest On Loans, Monies Advanced To An Indebtedness, Including Bonds Issued Or To Be Issued, Incurred By Said City In Connection With Said Economic Development Urban Renewal Project (Council Report 07-152)

- This ordinance was continued from the October 1, 2007 City Council meeting. There are no changes in the ordinance and the remaining Council Report is the same as Council Report 07-140.
- Per the Council Report on establishing the East-Mart Economic Development Urban Renewal Area, the land in the vicinity of the intersection of Highway 6 (First Avenue East) and Iowa Speedway Drive/East 31st Street North is poised for development and redevelopment. City incentives could be essential in facilitating such development. This proposed ordinance would establish a City of Newton Tax Increment Financing District for the area, providing the City with an economic development tool to be utilized at its own discretion.

PUBLIC HEARING

11. **Resolution Approving Redevelopment Agreement With Springboard Holdings, LLC For An Engineering Company On Property Located Within The East-Mart Economic Development Area (Council Report 07-147)**

- Springboard Holdings, LLC, led by Jordan Bruntz has brought forth a proposal to remodel an existing building at 3020 1st Avenue East into a location for a new engineering company, Springboard Engineering. The proposed Agreement for Private Redevelopment, with a ten year, 100% TIF property tax rebate, is a crucial step towards making this project a reality.
- The proposed Springboard Engineering site is located in Newton's proposed East-Mart Economic Development Area and TIF District. The project assistance would allow for over fifty high-paying jobs to be created and would fill a vacant building at a very visible intersection in Newton.

12. **Ordinance Replacing Title 4, Chapter 34, Section 34.02 Definitions And Section 34.04040FP: Flood Plain Ordinance Of The Code of Ordinances Of The City of Newton (Council Report 07-146)**

- As staff presented to the Council on October 1, 2007, the Flood Insurance Rate Maps (FIRMs) have been finalized by FEMA, and have an effective date of December 4, 2007 for the City of Newton.
- In advance of the effective date, the City of Newton must update the Flood Plain Overlay District and Definitions sections to meet the requirements set by FEMA. If City Code is not updated by October 26th, the City will not be included on federal publications of National Flood Insurance Program (NFIP) participants. As a participant in the NFIP, citizens of Newton are able to purchase federally subsidized flood insurance. The reason why we have a short timeline to act is that the city's staff has been appealing the original flood boundaries. These successful appeals caused FEMA to adjust some boundaries and the subsequent revised maps were not received until mid September. FEMA needs to keep their original time lines for adoption and implementing so that the NFIP is available to property owners.
- If the City of Newton were not to adopt the new Flood Plain Ordinance and definitions, the community would no longer be a NFIP participant. Mortgage lenders will require flood insurance on properties located within the 100-year flood zone regardless of a community's participation in NFIP. Citizens of communities who are not members of NFIP purchase flood insurance at a much higher rate.

13. **Ordinance Establishing A Historic Preservation Commission For The City Of Newton, Iowa; Providing For The Recognition And Promotion Of Historic Sites And Defining Powers And Duties Of The Commission (Council Report 07-148)**

- The State Historic Preservation Office, through a nationwide program, has a detailed process for becoming what is known as a "Certified Local Government" in regards to historic preservation. The first step in gaining this certified status is for the City Council to establish a Historic

Preservation Commission. Since the mid-1980s, over a hundred communities and counties around Iowa have established certified Historic Preservation Commissions. These Commissions are established as advisory and in the vast majority of the communities (90 of 105), they have not been given any authority by their Councils or Boards to have regulatory design review powers. The Commission's authority is only to carry out studies and make recommendations.

14. Resolution Approving The Amended Prairie Fire Economic Development Area Urban Renewal Plan (Council Report 07-149)

- Now another amendment is proposed in order to expand the boundary of the Area to include recently annexed parcels immediately east of the Iowa Speedway. While there is no current development proposal for this land, including it in the Prairie Fire Economic Development Area and TIF District better prepares the City to be able to respond if there would be a proposal. Including the annexed property in the TIF District does not require the City to provide incentives for development; it prepares the City to have incentive tools available should the City choose to use them.

ORDINANCE

15. Ordinance Amending Ordinance No. 2097 Regarding The Prairie Fire Economic Development Urban Renewal Area In The City Of Newton, Iowa (Council Report 07-149)

- Per Iowa Code, a consultation meeting with other taxing bodies was held on September 19, 2007. There were two attendees from Jasper County, Auditor Dennis Parrott and Supervisor John Parsons. They had no objections to this Area expansion and no written comments have been received.
- At their meeting on September 26, 2007, the Planning and Zoning Commission unanimously recommended approval of the proposed Amendments to the Prairie Fire Urban Renewal Plan, 5-0. The Commission found the amendments to be consistent with the Comprehensive Plan.

RESOLUTIONS

16. Resolution Approving Endorsement Of IDED Application For Springboard (Council Report 07-150)

- The State of Iowa is working with Springboard Engineering in their attempt at locating a facility in Newton. The proposed project anticipates the remodeling of the building at 3020 1st Avenue East. The facility would provide over 60 jobs over the course of three years, which would have a strong positive impact on the local economy. In order to assist this company, the State is putting together an incentive package. One component of that package is proposed to be a \$400,000 loan/forgivable loan from the Community Economic Betterment Account (CEBA) program. Another component is assistance from the High-Quality Job Creation program. Both of these programs require the City of Newton to officially endorse the application.
- In order to access the CEBA money, a local match is required. A minimum of \$80,000 is required from the City of Newton, constituting 20% of the direct assistance. The City's contribution will be more than enough to meet this standard if the redevelopment agreement for property tax rebates with Springboard is approved.

17. Resolution Authorizing Parks Director To Seek Bids For A Utility Tractor, Cab, And Snow Blower For The Parks Department (Council Report 07-142)

- As discussed with the City Council at the CIP/CEP Workshop held on September 24, 2007, the existing utility tractor used by the Parks Department to remove snow from approximately 2 miles of city-owned sidewalks and alleys throughout the community experienced a major engine failure in late December of 2006. The failed unit is 21 years old. When considering the worn condition of the remaining drive train and hydraulic components and the age of the machine, the high cost of motor replacement is not considered cost effective. A budget estimate for this

purchase is \$17,000. It is suggested that funding for this purchase include \$6,800 from the North Central TIF District and \$10,200 from the General Fund Balance.

- The North Central TIF contribution is equal to the percentage (40%) of sidewalks and alleys, and specifically sidewalks surrounding public parking lots, plowed by this equipment.

18. Resolution Paying Elim Care, Inc. \$131,763 Tax Rebate Per Development Agreement (Council Report 07-143)

- 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. In March of 2007 Elim paid \$156,000 in taxes of which the city reimbursed them \$6,000. We have received documentation from Elim of the September 2007 taxes paid in the amount of \$131,763. Therefore, Elim is requesting a rebate of \$131,763.

19. Resolution Authorizing Fire Chief To Seek Bids For SCBA And Exhaust System For The Fire Department (Council Report 07-144)

- Pursuant to Resolution 2007-036, the Newton Fire Department applied for an equipment grant through the AFG program. On September 14, 2007 the department was notified that application #2 of the 07/08 AFG application was successful. FEMA has granted the purchase of 25 each self-contained breathing apparatus (SCBA) with spare tanks and a Vehicle Exhaust Extraction System to be installed in the truck, ambulance and wash bay of the fire department.
- Total cost of both projects is not to exceed \$211,000.00. This grant requires a local 5% cash match. The cost-share will not exceed \$10,550.00 for the City of Newton. No "in-kind" contribution will be allowed for cost-share that is statutorily required.

20. Resolution Approving Purchase Of A Street Sweeper For The Public Works Department, Street Division From Eddy-Walker Equipment Company of Des Moines, Iowa (Council Report 07-145)

- Bids have been received for a street sweeper. The bids are as follows:

<u>Vendor</u>	<u>Manufacturer</u>	<u>Bid</u>
Eddy-Walker Equipment Co.	Johnston MX450	\$155,364.00
EDM Equipment	Elgin Eagle F	\$184,191.00*

- Funds will come from a combination of \$30,000 currently budgeted from Road Use Tax – Street Division and an additional \$10,000 from the Road Use Tax Fund – Street Cleaning Division that staff believes would have been spent on street sweeper repairs. Because the sweeper would be used in the TIF areas 5.8% or \$8,141 of the sweeper will be taken out the North Central Area and 1.7% or \$2,386 will be taken out of the South West Area, the remaining amount \$89,837 will be taken from the general fund balance.

NEW BUSINESS
ADJOURN

21.