

## AMENDED AGENDA

NEWTON CITY COUNCIL  
City Hall  
101 West 4th Street South

REGULAR MEETING  
December 3, 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.

PRESENTATION

2. Update and Budget Request From RSVP – Wendy Jenkins, Director

CONSENT AGENDA

3. Approve November 19, 2007 Regular City Council Meeting Minutes
4. Resolution Reappointing Jane Repp To Serve On The Planning And Zoning Commission For A Term Ending December 31, 2012
5. Resolution Reappointing Don Poynter To Serve On The Planning And Zoning Commission For A Term Ending December 31, 2012
6. Resolution Appointing Dana Woody To Serve On The Planning And Zoning Commission For The Unexpired Term Ending December 31, 2011

RESOLUTIONS

7. Resolution Approving Modification To Roadway And I-80 Ramp Improvement Associated With The Iowa Speedway (Council Report 07-162)
  - We are now ready to accept the city's roadway infrastructure project for the Iowa Speedway Area and process final payment to the contractor. There are two final change orders that need approval prior to final acceptance. They are as follows:
    - Revetment stone (rip-rap) needed for the outlet of the twin box culvert at a cost of \$15,297.88. This was not included in the plans but was a needed item. City cost after RISE \$7,648.94.
    - Stabilization seed needed as part of the change to prairie seed mix at a cost of \$18,431.25. This was not included in the original change order but was a needed item. City cost after RISE \$9,215.63.
  - These items will be funded by the bond proceeds for this project.
8. Resolution Accepting Work On The City Roadways Leading To Iowa Motorsports Facility, Phase I – Rusty Wallace Drive (East) And Twin Box Culvert Project (Council Report 07-163)
  - Engineering has worked to compile final quantities and we are now ready to accept the city's infrastructure project leading to the Iowa Speedway – Phase I. The summary of cost is as follows:
    - Original contract amount \$1,459,424.06
    - Contract amount based on adjusted quantities and change orders \$1,441,385.65
  - The final contract amount based on adjusted quantities and change orders represents a 1.24% decrease from the original contract. Funding comes from bond proceeds for this project. Approval of this resolution authorizes release of the final payment (5% contingency) and is recommended to be released immediately following approval since this represents a sizable amount of money and the contractor has completed the work to our satisfaction.
9. Resolution Accepting Work On The City Roadways Leading To Iowa Motorsports Facility, Phase II – Speedway Drive, Rusty Wallace Drive (East) And Ramp Construction (Council Report 07-164)

- Engineering has worked to compile final quantities and we are now ready to accept the city's infrastructure project leading to the Iowa Speedway – Phase II. The summary of cost is as follows:
- Original contract amount \$7,283,326.90  
Contract amount based on adjusted quantities and change orders \$7,469,229.16
- The final contract amount based on adjusted quantities and change orders represents a 2.55% increase from the original contract. Funding comes from bond proceeds for this project. Approval of this resolution authorizes release of the final payment (5% contingency) and is recommended to be released immediately following approval since this represents a sizable amount of money and the contractor has completed the work to our satisfaction.

**10. Resolution Approving Purchase Of 25 Ea. Self Contained Breathing Apparatus (SCBA) With Spare Tanks From Sandry Fire Supply LLC And A Vehicle Exhaust Extraction System From Air Cleaning Technologies, Inc. For The Fire Department (Council Report 07-166)**

- Total cost of both projects is not to exceed \$191,825.00. This grant requires a local 5% cash match. The cost-share will not exceed \$9,591.25 for the City of Newton. No "in-kind" contribution will be allowed for cost-share that is statutorily required.
- It is proposed the 5% local match money come out of the General Fund. Impact of the match is shown on the General Fund Balance sheet as submitted on 11-8-07. The fire equipment line item is the last project listed on the sheet for proposed funding. Funding this project will maintain a General Fund undesignated reserve of 29.955%. This project was not funded in the 07-08 Budget and was intended to come from the beginning balance if the grant was awarded.

**11. Resolution Authorizing The Submission Of An Application For Federal Airport Improvement Program Funding And Certifying Eligibility Requirements (Council Report 07-165)**

- The Federal Aviation Administration (FAA) requires cities to submit pre-applications for upcoming airport improvement projects. This enables the FAA to plan ahead and rank each project submitted for funding as they come in. For this submittal, we plan to include the following projects over the next five (5) years:
  - Rehabilitate/Strengthen Runway 14-32
  - T-Hangar Taxiway Paving
  - 6 Stall T-Hangar and Connecting Taxiway
  - Parallel Taxiway to Runway End 14-Grading, Paving, and Lighting
  - Fuel Handling Facility
- If the plan is accepted then each year of the plan, the Council may authorize a request for funding and at that time commit matching funds.

**12. Resolution Authorizing A Maximum Of Three Step Increases For Building Official Melvin Duncan (Council Report 07-167)**

- Back on July 2, 2007, Mel Duncan made a request for a pay step increase from Step 7 Range 8 to Step 8, Range 8. The pay increase was requested because he had completed a certification as a Residential Building Inspector through the International Code Council. His original employment letter dated May 24, 2004 stated he would be eligible for pay step increases after completing each of the three certifications; Residential Building Inspector, Commercial Building Inspector and Plans Examination.
- The Employee Relations Committee met on Monday, November 26, 2007 and after a closed session as requested by Mr. Duncan, they

adjourned the closed session and made a recommendation to Council to approve the request. The recommendation also addressed allowing the City Administrator to grant additional increase for the remaining two certifications.

**13. Resolution Directing The Advertisement For Sale Of \$690,000 Urban Renewal Tax Increment Revenue Bonds, Taxable Series 2007B, And Approving Electronic Bidding Procedures (Council Report 07-168)**

- At the last City Council meeting on November 19 Council moved this Resolution to the December 3<sup>rd</sup> meeting for consideration. Staff was to prepare a more thorough report on the need for the bonding and the financial status of the North Central TIF District.
- Since that meeting staff has been working on the issue. Staff is working with the Synergy partners on issues that may have impacts on this decision. The timing of these other connected decisions requires staff time and analysis. Once these connected decisions are made we can then bring this Resolution back for your decision if still needed for funding the City's commitment to the project. Therefore, staff request that this Resolution be postponed until such time as the report is complete and places the resolution back on the agenda.

**NEW BUSINESS**

**14.**

**FINANCIAL FORECAST**

**15. Presented By David Watson, City Administrator**

**CLOSED SESSION**

**16. To Discuss Strategy with Counsel in Matters that Are Presently in Litigation or Where Litigation is Imminent Where its Disclosure Would be Likely to Prejudice or Disadvantage the Position of the Governmental Body in that Litigation, Which Discussions are Exempt from the Open Meetings Law Pursuant to the Provision of Section 21.5(1)(c), Code of Iowa 2007**

**RETURN TO OPEN SESSION**

**17.**

**CLOSED SESSION**

**18. To Avoid Disclosure of Specific Law Enforcement Matters, such as Allowable Tolerances or Criteria for the Selection, Prosecution or Settlement of Cases, which if Disclosed would Facilitate Disregard of Requirements Imposed by Law, Said Discussions are Exempt from the Open Meetings Law Pursuant to the Provision of Section 21.5(1)(h), Code of Iowa 2007**

**RETURN TO OPEN SESSION**

**19.**

**ADJOURN**