

## AMENDED AGENDA

**NEWTON CITY COUNCIL**  
**ARBORETUM**  
**3000 North 4<sup>th</sup> Avenue East**

**REGULAR MEETING**  
**July 21, 2008**  
**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 July 21, 2008 Regular City Council Meeting Minutes and July 14, 2008 Special City Council Meeting Minutes**
3. **Resolution Naming Depositories**
4. **Approve Class E Liquor License, Carryout Beer, Carryout Wine, Sunday Sales, Wal-Mart #748, 300 East 31<sup>st</sup> Street South**
5. **Approve Class B Beer Permit, Sunday Sales, Godfather's Pizza, 2426 First Avenue East**

**PRESENTATION**

6. **Alliant Energy – Angela Hotchkin, Strategic Account Manager**

**MOTION TO RECONSIDER**

7. **Ordinance Amending The 2001 Official Zoning Map Of The City Of Newton, Iowa To Rezone Property In The 2400 Block South 12<sup>th</sup> Avenue West From R-3: One-Twelve Family Zoning To C-A: Arterial Commercial Zoning (Council Report 08-091)**
  - Mayor has requested item to be on agenda. A motion to reconsider (being moved by a party that prevailed at the last meeting) must first pass prior to a motion to approve the rezoning being in order.
  - Rezoning is requested by Shawn Risseeuw of Action Jack's Paintball. The property owner also consents to the rezoning. The request is prompted by the desire to locate a paintball business at this location. The property is currently zoned R-3 (1-12 family residential). The proposal is to rezone the property C-A (arterial commercial). The applicant's overall plan is to use the whole property as a paintball course and associated buildings. While the proposed use is for a paintball course, the change of zoning would allow all general commercial uses on the site.

**ORDINANCES**

8. **Ordinance Amending The Code Of Ordinances, City of Newton, Iowa, 1993, Title 2, Chapter 11, Article 10, Parking Offenses, By Adding Section 11.1007.2(c)(1), Handicapped Parking, Parking Lots, South Second Avenue East, 100 Block (Council Report 08-094)**
  - The Elks Lodge at 111 East Second Street South requested that the Traffic Safety Committee review a request for an increase in the number of handicapped parking spots in the City owned lot in the 100 block of South Second Avenue East. The Traffic Safety Committee researched the request and found that 2 additional handicapped parking spots would adhere to ADA guidelines.
9. **Ordinance Amending The Code Of Ordinances, City of Newton, Iowa, 1993, Title 2, Chapter 11, Article 10, Parking Offenses, By Adding Section 11.1016.4(G)(2), Three Hour Parking On The East Side Of The Three Hundred Block Of East Second Street North (Council Report 08-095)**

- First Christian Church located at 314 East Second Street North requested that the Traffic Safety Committee review a request that would change the parking zone in the 300 block of East Second Street North, on the East side of the street. The church asked that the parking be changed from all day parking to 3 hour parking to allow spaces to open up for visitors that come to do business at the First Christian Church.

**10. Ordinance Amending The Code of Ordinances, City of Newton, Iowa, 1993, Title 2, Chapter 11, Article 10, Parking Offenses, By Adding Section 11.1008.512(A)(1), No Parking, South Twenty - Second Avenue East, Both Sides, From Iowa Speedway Drive To The East (Council Report 08-096)**

- Police Department officers have observed that there has been repeated instances of truck parking along South Twenty-Second Avenue East, east from Iowa Speedway Drive, that creates traffic flow problems for Love's and other businesses in that area. Love's Country Store is a large truck stop with a large number of trucks using their facilities from Interstate 80. These trucks have a hard time exiting the parking lot if there are any trucks or cars parked on South Twenty-Second Avenue East.

**RESOLUTIONS**

**11. Resolution Approving An Amended Contract For A Brownfield Grant With The Iowa Department Of Economic Development (Council Report 08-098)**

- In January 2007, following a public hearing, the Newton City Council approved the submittal of an application for a Brownfield Redevelopment grant for the demolition of part of the Maytag downtown campus (Resolution 2007-001). This grant was approved for \$1,250,000, and the City entered into a grant agreement with the Iowa Department of Economic Development in February 2007. Due to the length of time it took to get Federal approval for demolition, the grant deadline requirement was not met.
- In April 2008, the Iowa Department of Economic Development Board approved an extension of the Brownfield contract until the end of 2008. The documentation of this extension was sent to the City at the end of June and requires Council approval to accept the later date.

**12. Resolution Approving The Fiscal Year 2009 Unified Planning Work Program As A Member Of The Central Iowa Regional Transportation Planning Alliance Report 08-097)**

- Newton's CIRTPA representatives are Community Development Director Bryan Friedman and Public Works Director David Stewart. Newton annually receives approximately \$225,000 in federal surface transportation funds through CIRTPA. These funds are currently being accumulated to pay for part of an anticipated future road project on Iowa Speedway Drive (formerly SE Beltline), south of Wal-Mart.

**13. Resolution Approving Modification To Maytag demolition Project Phase 3 (Council Report 08-099)**

- Change Order #3 \$7,499 (Change order #2 is pending approval by the partners.) This change order includes installation of an Iowa Telecom supplied electric water heater on the 4<sup>th</sup> Floor of Building #18. The current water heater is in an area that is part of the demolition work and needs to be relocated.
- Given the budgeting situation of this project, all change orders are being processed through the Synergy Partners prior to approval. All partners have approved the aforementioned change order.

**NEW BUSINESS**

**14.**

- OLD BUSINESS** 15.
- 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 2008**
- RETURN TO OPEN SESSION** 17.
- ADJOURN**