

AGENDA

NEWTON CITY COUNCIL
City Hall
101 West 4th Street South

REGULAR MEETING
September 2, 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.**

PRESENTATION

2. **Newton Development Corporation Update – Kim Didier, Director**

CONSENT AGENDA

3. **Approve August 11, 2008 Goal Setting Session, August 18, 2008 Study Session and August 18, 2008 Regular City Council Meeting Minutes**
4. **Resolution Appointing Jerry Chandler, Jr. To Serve On The Plumbing Board For A Term Ending December 31, 2010**

ORDINANCE SECOND

CONSIDERATION

5. **Ordinance Amending Title 3, Chapter 20 “Building Regulations” Of The Code Of Ordinances Of The City Of Newton, Iowa (Council Report 08-126)**
 - The ordinance reflects the amendment passed on August 18, 2008 by the City Council that excluded sprinklers in three-plex residences.

RESOLUTIONS

6. **Resolution Approving An Agreement For Grant Funding With The United States Department Of Commerce Economic Development Administration (Council Report 08-125)**
 - At its April 15, 2008 meeting, the Newton City Council endorsed the submittal of the EDA application for Trinity storage yard project. The funding is very competitive nationally, but the EDA understood the community benefits to Newton of attracting a new manufacturer in the growing wind industry and quickly offered its support. On August 7, 2008, the EDA approved this grant application and awarded Newton a grant of \$580,000 for grading, site preparation, and surfacing of a parcel of land to serve as a storage facility for Trinity Structural Towers. In order to receive the EDA funding, Newton must now approve the EDA grant agreement.
7. **Resolution Accepting Work On The Demolition Of Structures Demo 08-3 Project (Council Report 08-121)**
 - Work is complete to demolish nine (9) houses acquired from Against the Wind, Inc. The original contract amount with the contractor (Herbold Conservation Contractors, LLC of Mingo, Iowa) was \$35,800. The final contract amount is \$35,800. It is now recommended to accept the project as complete.
8. **Resolution Accepting Work On The North Newton Hike And Bike Trail Project (Council Report 08-122)**
 - Work is complete to construct 1.02 miles of Hike and Bike trail along N. 11th Ave. E. from Agnes Patterson Park to E. 12th St. N. The original contract amount was \$126,015.50. Due to changes in measured schedule values the final contract amount is \$125,902.99. It is now recommended to accept the project as complete.

9. **Resolution Approving Modification To Maytag Demolition Project Phase 1 (Council Report 08-123)**
 - Change Order #1 \$1,900 This change order includes additional asbestos abatement
 - 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.
10. **Resolution Authorizing The Submission Of Application For IDOT Airport Program Funding And Certifying Eligibility Requirements (Council Report 08-124)**
 - Recently, the Iowa Department of Transportation Office of Aviation has suggested that the city submit a grant application for state funding for the project. This would be a special, out of cycle request. While there is no guarantee for funding, this is a unique opportunity that has been afforded to the city of Newton to receive state funding for this project. The attached application requests 85% funding by the state.
11. **Resolution Authorizing Action Jack's Paintball Games, LLC To Shoot Paintball Guns (Council Report 08-127)**
 - The resolution grants Action Jack's and their designated employees to be authorized supervisors for purposes of Newton Municipal Code §11.0308. This authorization could be revoked by Council upon a determination there has been a failure to provide supervision.
12. **Resolution Approving The 2007 – 2008 Annual Financial Report For City Street And Parking (Council Report 08-128)**
 - Annually the City is required to file a Road Use Tax Financial Report with the Iowa Department of Transportation. The report for fiscal year 2007-08 shows that the City began with a fund balance of \$156,074 in the Road Use Tax Fund. Revenues from the road use tax were \$1,334,695. Fiscal year 2007-2008 expenses totaled \$1,435,032.

DISCUSSION

NEW BUSINESS

OLD BUSINESS

CLOSED SESSION

RETURN TO OPEN SESSION

ADJOURN

13. **Maytag Bowl Project, Denny Slings, Park Director**
- 14.
- 15.
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**

17.