

AGENDA

NEWTON CITY COUNCIL
City Hall
101 West 4th Street South

REGULAR MEETING
October 6, 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 September 15, 2008 Regular City Council Meeting Minutes and September 25, 2008 Special City Council Meeting Minutes
3. Approve Cigarette Permit submitted from Scoreboard, 122 North 2nd Avenue East
4. Approve Special Class C Liquor License, Carryout Wine, Sunday Sales, Americinn, 4401 South 22nd Street East, Class C Liquor License, Sunday Sales, The Manhattan, 113 First Avenue East

PUBLIC HEARING

5. Resolution Instituting Proceedings To Take Additional Action For The Issuance Of Not To Exceed \$2,125,000 General Obligation Bonds (Council Report 08-138)

- On April 15, 2008, the Newton City Council approved a Development Agreement with AG/IRG WPM Newton, LLC, to develop the western portion of former Maytag Plant 2 into a factory for Trinity Structural Towers. The agreement called for up to \$2,000,000 of City incentives, and the property owner agreed to increase the property value by at least \$7 million. As Trinity is nearing completion of their factory, it is timely for the City to initiate the bonding process.

6. Resolution Instituting Proceedings To Take Additional Action For The Issuance Of Not To Exceed \$295,000 General Obligation Bonds (Council Report 08-139)

- On June 16, 2008, the Newton City Council approved a Development Agreement with HNF Development, LLC, to develop a hotel at Exit 168. The forty-room Prairie Inn and Suites is nearing its start of construction, so it is timely for the City to initiate the bonding process for the incentive package. The Development Agreement obligated the City to provide \$87,000 to the developers upon start of construction, \$38,000 mid-way through, and \$125,000 upon completion of the hotel. In return, the developers guaranteed a minimum assessed value of \$1,500,000.

RESOLUTIONS

7. Resolution Authorizing Publication Of Notice Of Public Hearing On Sale Of Property Located At 801 South Fifth Avenue West Through The City Of Newton Dangerous And Dilapidated Building Program (Council Report 08-145)

- Last year, the Council approved the acquisition of a property located at 801 S. 5th Avenue W. for \$22,100. Since acquiring the property, the City has demolished the structure on it and marketed the lot for sale. In order to sell property in a fair and open fashion, the City must hold a public hearing to entertain proposals for the property. At this public hearing, the Council can approve any proposal submitted or reject all offers. The attached resolution sets a public hearing for the sale of the property at 801 S. 5th Avenue W for October 20, 2008.

8. **Resolution Paying Elim Care, Inc. \$40,185 Tax Rebate Per Development Agreement (Council Report 08-140)**
 - Newton Village senior housing was built with the help of a City of Newton redevelopment agreement, providing the building site and other incentives to assist the project. The redevelopment agreement has been amended several times to accommodate changes in the developer and the incentive terms. On September 18, 2006, City Council unanimously approved the fifth amendment to the redevelopment agreement (Resolution 2006-151). This amendment provided for a rebate of property tax payments above \$150,000 made by Newton Village in the calendar years of 2007 and 2008. The October 2008 rebate will be the final one.
9. **Resolution Approving Submission Of Grant Application To Governor's Traffic Safety Bureau (Council Report 08-141)**
 - For many years, the Newton Police Department has participated in the Governor's Traffic Safety Bureau (GTSB) grant programs. By doing so, the Department has received reimbursement for overtime, education and also numerous equipment additions. One of the latest pieces of equipment is the new Speed Trailer that is used to monitor traffic across town. It is time to apply for the third year of a three-year grant. The grant has targeted traffic safety issues, including speed, accidents, seatbelt usage, in addition to impaired driving.
10. **Resolution Approving 28E Agreement With The State Of Iowa Alcoholic Beverage Division Of The Department Of Commerce Supporting Tobacco Compliance Checks (Council Report 08-142)**
 - The Police Department has, on an annual basis, entered into a 28E agreement with the Department of Commerce, Alcoholic Beverage Division. The proposed agreement requires the Police Department to perform two compliance checks 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, 2009.
11. **Resolution Accepting Work On The Iowa Speedway Street Projects Wetland Mitigation Area Project (Council Report 08-143)**
 - The project to construct approximately one (1) acre of wetlands for the City's infrastructure to the Iowa Speedway is complete. The original contract amount was \$23,922. The final contract amount was the same.
 - Completion of this project brings the City of Newton in compliance with the Army Corps of Engineers. The city will need to monitor the site for the next five (5) years as part of our permit obligations.
12. **Resolution Ordering Bids, Approving Plans, Specifications And Form Of Contract And Notice To Bidder, And Ordering Clerk To Publish Notice And Fixing Date For Receiving The Same, And For A Public Hearing On Plans, Specifications, Form Of Contract And Estimate Of Costs For The East 8th Street North Project (Council Report 08-144)**
 - Plans and specifications have been completed for the E. 8th St. N. Project subject to final external review. We are now ready to go out to bid.
 - This resolution sets the letting date for October 28th, at 10:00 a.m. and the public hearing for November 3rd at the regular Council Meeting. On November 3rd, the Council will then have the opportunity to consider the bids and act accordingly.
13. **Fire Department Roof**

DISCUSSION

DISCUSSION

14. Maytag Bowl Project

NEW BUSINESS

15.

OLD BUSINESS

16.

ADJOURN