

## AGENDA

**NEWTON CITY COUNCIL**  
City Hall  
101 West 4<sup>th</sup> Street South

**REGULAR MEETING**  
November 3, 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 October 20, 2008 Regular City Council Meeting Minutes and October 27, 2008 CIP/CEP Workshop Minutes
3. Resolution Appointing Neil Guess To Serve On The Zoning Board Of Adjustment For The Unexpired Term Ending December 31, 2011
4. Resolution Reappointing Dennis Porter To Serve On The Zoning Board Of Adjustment For A Five Year Term Expiring December 31, 2013
5. Approve Class C Beer Permit, Sunday Sales, Casey's # 1375, 1006 North 19<sup>th</sup> Avenue East
6. Approve Class C Beer Permit, Sunday Sales, Casey's # 2417, 1200 West 18<sup>th</sup> Street South
7. Approve Class C Beer Permit, Sunday Sales, Loves Travel Stop # 361, 4400 South 22<sup>nd</sup> Avenue East
8. Approve Class Beer Permit, Carryout Wine, Sunday Sales, Kum & Go # 333, 405 First Avenue East

**PUBLIC HEARING**

9. Resolution Awarding Contract And Bond And Making Award Of Contract For E. 8<sup>th</sup> St. N. (Council Report 08-158)
  - Staff recommends holding the Public Hearing and to delay awarding the bid to a future City Council meeting within the 90-day award period and after the City has received Army Corps of Engineers approval.

**RESOLUTIONS**

10. Resolution Fixing Date For A Meeting On The Proposition Of The Issuance Of Not To Exceed \$750,000 General Obligation Bonds (For An Essential Corporate Purpose) Of Newton, Iowa, And Providing For Publication Of Notice Thereof (Council Report 08-160)
  - In December 2006, the Newton City Council approved a multi-party Redevelopment Agreement regarding the demolition of portions of the Maytag campus in downtown Newton. Part of the City's financial commitment to this project is to provide \$700,000 towards the demolition. The project is in the North Central Tax Increment Finance (TIF) District, which would provide the source of the \$700,000. This amount could come from fund balance in the TIF District or from bonding. As discussed at the October 20<sup>th</sup> City Council meeting, there are potential budgetary advantages to issuing general obligation bonds for the project, supported by the TIF District revenues. In order to at least have the authority to bond, the City must hold a public hearing.
11. Resolution Setting A Public Hearing For The Agriculture Airport Use Agreement And Lease (Council Report 08-159)
  - In 2006, the City entered into a Airport Land Use Agreement and Lease with the US Motorsport Entertainment Complex to allow overflow parking on the Newton Municipal Airport property. This new lease will clarify and

specifically allow crop farming by US Motorsports or for them to sub-lease for this purpose, if US Motorsports determines overflow parking is not needed.

**12. Resolution Approving The Participation Of The City of Newton Into The State Of Iowa, Iowa Income Offset Program (Council Report 08-161)**

- Section 8A.504 of the Code of Iowa provides for the offsetting of payments made by the State to satisfy liabilities to the State. The Director of the Department of Administrative Services (DAS) is given the authority to coordinate with other State agencies to participate in the program. House File 2705 allows DAS to expand the Offset Program to include political subdivisions (County and City agencies)

**13. Resolution Authorizing Capital Equipment Expenditure From Library Reserve Fund (Council Report 08-162)**

- Several years ago SirsiDynix migrated its system to an Oracle relational database platform. The library has delayed the completion of its migration to Oracle and is currently several versions behind. SirsiDynix has prepared a proposal that it now currently offers all of its systems users. In addition to the completion of the library's migration to the Oracle relational database platform, this proposal additionally would move the library from ongoing in-house maintenance on a server owned and maintained by the library to a turnkey contract on SirsiDynix's server
- The total cost of the migration (\$19,150) and the first year subscription service (\$24,220) is \$43,370.
- The Newton Public Library Board of Trustees has approved the use of Library Reserve Funds for this proposed initial expenditure of \$43,370 for this migration project and asks that the council approve this expenditure in FY 2008-09 with the understanding that subsequent years' ongoing subscription costs will be part of the library's operating budget.

**14. Resolution Approving One-Year Extension For Preparation Of Financial Statements And Auditing Services With Nolte, Cornman & Johnson, P.C. of Newton, Iowa (Council Report 08-163)**

- Staff received an audit proposal from Nolte, Cornman and Johnson, P.C. for the period covered for one year ending June 30, 2008. Council approved a three-year contract with the firm on May 17, 2004 with an additional one-year extension.
- The proposal for one year is not to exceed \$22,000. Next spring, early summer staff will do a request for proposal for year ending June 30, 2009.

**CLOSED SESSION**

**15. To Discuss and Determine Strategy in Regard to Collective Bargaining Issues, Which Discussions are Exempt from the Open Meetings Law Pursuant to the Provisions of Section 20.17(3) Code of Iowa 2008**

**RETURN TO OPEN SESSION**

**16.**

**NEW BUSINESS**

**17.**

**OLD BUSINESS**

**18.**

**ADJOURN**