

## AGENDA

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

**REGULAR MEETING**  
December 1, 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. RSVP Update by Wendy Jenkins, Director

**CONSENT AGENDA**

3. Approve November 17, 2008 Regular City Council Meeting Minutes and City Council Workshop Minutes
4. Approve Class E Liquor License, Carryout Beer, Carryout Wine, Sunday Sales, Hy-Vee #1, 1501 First Avenue East

**PUBLIC HEARING**

5. Resolution Authorizing Sale Of Lots 10 And 11 Of Mershon's Addition In The 1000 Block Of North 2<sup>nd</sup> Avenue East Through The City Of Newton Dangerous And Dilapidated Building Program (Council Report 08-171)
  - In 2007, the Council approved the acquisition of a property located at 1117 N. 3<sup>rd</sup> Avenue E., the former Peters Hatchery. As part of this acquisition, some undeveloped land was included southwest of the hatchery buildings.
  - In order to sell property in a fair and open fashion, the City must advertise and 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. While preliminary development interest has been expressed in this property, no offers have yet been received. By continuing the public hearing until December 15, 2008, potential purchasers will have an additional opportunity to make an offer on the property.

**TABLED PUBLIC  
HEARING**

6. Resolution Adopting The Agricultural Airport Land Use Agreement and Lease And Authorizing Its Execution (Council Report 08-165)
  - This public hearing was tabled at the November 17, 2008 City Council Meeting.

**RESOLUTIONS**

7. Resolution Accepting Work On The Salt-Sand Storage Building – 2008 Project (Council Report 08-172)
  - Work is complete to construct the Salt-Sand Storage Building. The original contract amount was \$41,763.26 for the building and \$23,935.00 for the asphalt pad. The final amounts are the same. Site prep work and misc. expenses totaled \$1,426.61 for a total project cost of \$67,124.87. This is good news as this final amount is well within the estimated project cost of \$80,000 that was being funded by the Capital Fund Balance.
8. Resolution Authorizing The Submission Of An Application For Federal Airport Improvement Program Funding And Certifying Eligibility Requirements (Council Report 08-173)
  - 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 five projects over the next five (5) years:

- Of note this year is the project to strengthen the runway. We are authorized to proceed with this project based on our previous application for next year; however, similar to the apron expansion project situation we do not know if congress will authorize the full funding. As a significant project and possible financial liability to the city if the full release of funds is not authorized, staff recommends not proceeding with the project for now but include in this application for Federal Fiscal Year 2010 (year one of the plan).

**9. Resolution Authorizing The Approval Of The Iowa Department Of Transportation Agreement For Airport Improvement Program Funding (Council Report 08-174)**

- Recently, the City Council approved submitting an application to the Iowa Department of Transportation Office of Aviation for state monies for the project as a special out of cycle request. Good news to report as the application has been approved at the full 85% level. The state share of the project is up to \$363,800 of the \$428,000 project cost. This resolution approves the agreement with the IDOT to move forward with the project.

**10. Resolution Authorizing The Newton Fire Department To Submit A Fire Prevention And Safety Grant To Purchase A Live Fire Training System Upon Grant Approval (Council Report 08-175)**

- The Newton Fire Department is requesting permission to apply for the fire prevention and education equipment through the 2008 FP&S. FEMA has authorized the cost share contribution rate of 5% for communities with less than 20,000 population.
- The Fire Department is requesting the purchase of a Bullex Live Fire Training System. The cost of equipment is not to exceed \$5,800.00 with a city cost share not to exceed \$290.00. Cost share money is budgeted within the FY08/09 fire department budget.

**11. Resolution Directing Publication Of Notice Of Intent To Fill The At Large Vacancy By Appointment (Council Report 08-176)**

- The resolution directs staff to publish a notice of intent to fill the at large seat, which is vacant on the City Council. It is important to note this notice of intent to fill the vacancy has no bearing on when the deadline for an interested party to submit their name, address and brief biographical information to the City Clerk at City Hall. Staff issued a press release last week (Nov. 26) to remind the public of the vacancy, of this discussion tonight, and the need for interested parties to submit their letter of interest.

**DISCUSSION**

**12. Newton Development Corporation Executive Director Vacancy & Funding**

- The City has received communication from the Chair of the NDC Board requesting two items from the Council:
- How the Council would like to participate in the process to recruit and select a new Executive Director and who the Council would like to appoint as a representative(s) and that the Council consider extending through December 31, 2012 the additional 2% hotel/motel investment agreement coming up for renewal on December 31, 2009.

**NEW BUSINESS**

**13.**

**OLD BUSINESS**

**14.**

- 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.
- CLOSED SESSION**                    17.    **To Discuss Strategy In Matters Relating To Employment Conditions, Of Employees Of The Governmental Body Who Are Not Covered By A Collective Bargaining Agreement Which Discussions Are Exempt From The Open Meetings Law Pursuant To The Provisions Of Section 21.9, Code of Iowa 2008**
- RETURN TO OPEN SESSION**    18.
- ADJOURN**