

REGULAR CITY COUNCIL MEETING MINUTES  
MAY 7, 2007, 5:30 P.M.  
CITY COUNCIL CHAMBERS

The City Council of Newton, Iowa met in regular session at 5:30 P.M. on the above date in the Council Chambers at 101 West 4th Street South. Mayor Allen presided. Present: Council members Morgan, Hansen, Ewing, Foreman, Morris, Mullan. Absent: None.

There was no citizen participation.

Moved by Foreman, seconded by Mullan to approve consent agenda items 2. - 8.

2. Approve April 16, 2007 Regular City Council Meeting Minutes and April 23, 2007 and April 30, 2007 Special City Council Meeting Minutes

3. Designate May 21, 2007 as Public Hearing Date For Budget Amendments

4. Resolution Adopting June 2006 Supplement To The Code Of Ordinances, City of Newton, Iowa 1993, And Approving Distribution Of The Same To Code Subscribers. Resolution No. 2007 – 044 adopted.

5. Resolution Adopting September 2006 Supplement To The Code Of Ordinances, City of Newton, Iowa 1993, And Approving Distribution Of The Same To Code Subscribers. Resolution No. No. 2007 – 045 adopted.

6. Resolution Adopting December 2006 Supplement To The Code Of Ordinances, City of Newton, Iowa 1993, And Approving Distribution Of The Same To Code Subscribers. Resolution No. 2007 – 046 adopted.

7. Approve Class B Beer Permit, Sunday Sales, Pizza Hut, 1337 First Avenue East

8. Approve Class C Liquor License, Sunday Sales, Scoreboard, 122 North 2<sup>nd</sup> Avenue West

AYES: Six. NAYS: None. Consent agenda approved

Mayor Allen stated this was the time and the place for a public hearing on the Resolution Approving City of Newton City-Wide Urban Revitalization Plan Revisions. There had been no written comments and no public participation. Foreman inquired if this revision was just for residential property. David Watson, City Administrator noted the plan as written does not allow for the standard residential tax abatement currently in place for the rest of Newton to be available in the North Central Urban Renewal Area. This resolution would make such a revision to the plan. Ewing asked staff to speak on the aggressiveness of the tax abatement. Bryan Friedman, Community Development Director stated the City of Newton has had a citywide tax abatement program for over thirteen years. The Newton City Council adopted the abatement program by ordinance in 1993 and modified it to its current form on October 21, 2002 (Resolution No. 2002-146). The amended version of the abatement schedule greatly increased the aggressiveness of the residential abatement policy while leaving the commercial and industrial policies the same. The residential policy provides for 100% abatement on the improvement value for the first two years and 50% abatement for the next three. Moved by Foreman, seconded by Morgan to close the public hearing. AYES: Six. NAYS: None. Public Hearing closed. Moved by Foreman, seconded by Mullan to Introduce the Resolution Approving City of Newton City-Wide Urban Revitalization Plan Revisions. AYES: Six. NAYS: None. Resolution No. 2007 – 047 adopted.

Moved by Morris, seconded by Morgan to Introduce on first consideration an Ordinance Amending Title 2, Chapter 11, Article 6, Of The Code of Ordinances Of The City of Newton, Speed Limits For Iowa Speedway Drive And Rusty Wallace Drive. Mullan stated the speed limit for the curves would be 35 mph and 45 for other. David Watson, City Administrator stated that was correct for those areas within the city limits. AYES: Three. NAYS: Hansen, Ewing, Foreman. Ordinance failed first consideration.

Moved by Hansen, seconded by Foreman to Introduce a Resolution Approving The 2007-08 Non-Union Compensation Plan. AYES: Six. NAYS: None. Resolution No. 2007 – 048 adopted.

Moved by Mullan, seconded by Ewing to Introduce a Resolution Authorizing The Parks and Recreation Director To Solicit And Gather Bids For The Removal And Disposal Of Dangerous Hanging Limbs From Trees Throughout The Newton Park System And Further Authorizing The Parks Director To Enter Into An Contract For Said Work Not To Exceed \$32,500. It was noted the Director would be soliciting bids locally and through national tree trimming. AYES: Six. NAYS: None. Resolution No. 2007 – 049 adopted.

Moved by Foreman, seconded by Hansen to Introduce a Resolution Accepting Public Improvements Within The Cupples Subdivision. AYES: Five. NAYS: Ewing. Resolution No. 2007 – 050 adopted.

Moved by Hansen, seconded by Mullan to Introduce a Resolution Fixing Date For A Meeting On The Authorization Of A Loan Agreement And The Issuance Of Not To Exceed \$615,000 General Obligation Capital Loan Notes (For A General Corporate Purpose) Of Newton, Iowa, And Providing For Publication Of Notice Thereof. AYES: Six. NAYS: None. Resolution No. 2007 – 051 adopted.

Moved by Morgan, seconded by Foreman to Introduce a Resolution Fixing A Date For A meeting On The Authorization Of A Loan Agreement And The Issuance Of Not To Exceed \$130,000 General Obligation Capital Loan Notes Of Newton, Iowa, And Providing For Publication Of Notice Thereof. AYES: Six. NAYS: None. Resolution No. 2007 – 052 adopted.

Moved by Morris, seconded by Mullan to Introduce a Resolution Approving Acceptance Of A Real Estate Deed From First Federal Bank Properties Located In The Subdivision Of Block A, Morgan's Acres, City Of Newton, Jasper County, Iowa. Bev Price, First Federal Bank thanked the City for working with the bank on the project, Price went on to note the bank added a turn lane to East 19<sup>th</sup> Street and agreed to donate the necessary right-of-way to the City along First Avenue and East 19<sup>th</sup> Street. AYES: Six. NAYS: None. Resolution No. 2007 – 053 adopted.

Moved by Foreman, seconded by Morgan to Introduce a Resolution Approving Purchase Of Real Estate And Public Utility Easements From Property Located In Sections 1 And 12, Township 79 North, Range 19 West Of The 5<sup>th</sup> PM In Jasper County, Iowa. It was noted the largest single piece of property acquired as part of the Speedway project is from the Beukema family. This resolution agrees to accept a donation of all of the land south of the Interstate, amounting to nearly 30 acres. The resolution also agrees to pay \$79,716 for a sliver of right-of-way and easement from Beukema-owned land north of the Interstate. This land was not part of the original agreement with the Beukemas, and the purchase price is consistent with other Council-approved purchases in the vicinity. AYES: Six. NAYS: None. Resolution No. 2007 – 054 adopted.

Moved by Foreman, seconded by Ewing to Introduce a Resolution Paying Elim Care, Inc. \$6,000 Tax Rebate Per Development Agreement. AYES: Six. NAYS: None. Resolution No. 2007 – 055 adopted.

Under new business, Morris noted he had received several complaints on the audio and visual reception of the council meetings. Mayor Allen noted staff was working to resolve the problems. Ewing stated he had a formal request in writing for staff on the amendment of the Prairie Fire Urban Renewal Plan. Mayor Allen stated there could possibly be two special council meetings on May 14<sup>th</sup> and 16<sup>th</sup> at 5:30 p.m. Foreman commended staff on their outstanding work on the annual spring clean up. Mullan sited some areas of concern where the grass needs mowing. Foreman also asked the City Attorney to research the code for any ordinance prohibiting junk on porches.

Moved by Foreman, seconded by Mullan to adjourn the meeting at 6:07 p.m. Motion unanimously carried by voice vote.

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Charles Allen, Mayor

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Candice Van Zee  
City Clerk