

REGULAR CITY COUNCIL MEETING MINUTES
SEPTEMBER 4, 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.

At Citizen Participation, Joyce Heck spoke about concerns she had regarding Union Cemetery. She discussed concerns about dead grass and weeds that she noticed over the weekend. Pete Koppin, 1120 W. 18th Street S., spoke about his concerns regarding the city's nuisance codes.

Charles Clement, treasurer of the Municipal Band, gave a presentation regarding the band's budget.

Moved by Morgan, seconded by Mullan to approve consent agenda items 3 - 9.

Moved by Foreman, seconded by Hansen to remove consent agenda item 7 to be addressed separately. AYES: Six. NAYS: None.

3. Approve August 20, 2007 Regular City Council Meeting Minutes
4. Resolution Appointing Jeff Maki To Serve On The Planning And Zoning Commission For The Unexpired Term Ending December 21, 2009. Resolution No. 2007 – 102 adopted.
5. Resolution Appointing Lin Chape To Serve On The Animal Rescue League Board For The Expired Term Ending On June 30, 2011. Resolution No. 2007 – 103 adopted.
6. Resolution Appointing Rose Trapp To Serve On The Animal Rescue League Board For The Term Ending On June 30, 2010. Resolution No. 2007 – 104 adopted.
8. Approve Class C Liquor License, Outdoor Service, Sunday Sales, La Cabana Mexican Restaurant, 2617 First Avenue East, Suite 5 & 6
9. Approve Class C Liquor License, Catering Privilege, Outdoor Service, Sunday Sales, Okoboji Grill, 1425 West 19th Street South

AYES: Six. NAYS: None. Consent agenda items 3-6, 8 & 9 approved. After discussion on item 7, City Administrator advised he further review and then bring the Financial Report back for action at the next Council Meeting

Mayor Allen stated this was the time and the place for a public hearing on the Resolution Approving Sale Of Property Located At 815 West Sixth Street South Through The City Of Newton Dangerous And Dilapidated Building Program To Blueprint Development, Inc. There had been no written comments. There was no citizen participation. Moved by Ewing, seconded by Mullan to continue the public hearing. AYES: Six. NAYS: None. Public Hearing was continued.

Moved by Foreman, seconded by Morris to introduce on first consideration an Ordinance Amending The Code Of Ordinances, City Of Newton, Iowa, 1993, Title 2, Chapter 11, Article 10, Parking Offenses, By Deleting Section 11.1008.106(A)(3)(a), No Parking, East Fifth Street South, Eastside, From A Point Sixty Feet North Of South Eighth Avenue East. AYES: Six. NAYS: None. Ordinance passed first consideration. Moved by Ewing, seconded by Foreman to suspend the rules and waive the second and third considerations of the above ordinance. AYES: Six. NAYS: None. Ordinance passed second and third considerations. Moved by Ewing, seconded by Foreman to adopt the above ordinance. AYES: Six. NAYS: None. Ordinance No. 2109 adopted.

Moved by Foreman, seconded by Mullan to introduce on second consideration an Ordinance Amending The Code Of Ordinances, City of Newton, Iowa, 1993, Title 2, Chapter 11, Article 8, Other Traffic Offenses – Stops, By Deleting Section 11.0802.407(B) And Adding Section 11.0802.4(B), Special Stops Required, To Remove Stop For Eastbound Traffic On North Eighth Avenue East At East Fourth Street And Require A Stop On East Fourth Street North At North Eighth Avenue East. Hansen stated he wanted to remove his objection from the vote at the last council meeting. AYES: Six. NAYS: None. Ordinance passed second consideration. Moved by Foreman, seconded by Ewing to suspend the rules and waive the third consideration of the above ordinance. AYES: Six. NAYS: None. Ordinance passed the third consideration. Moved by Hansen, seconded by Ewing to adopt the above ordinance. AYES: Six. NAYS: None. Ordinance No. 2110 adopted.

Moved by Morgan, seconded by Mullan to Introduce A Resolution Approving Engineering Services Agreement For A Facility Plan Study For The City Of Newton Wastewater System. AYES: Six. NAYS: None. Resolution No. 2007 – 105 adopted.

Moved by Foreman, seconded by Morris to Introduce a Resolution Approving 28E Agreement With The State Of Iowa Alcoholic Beverage Division Of The Department Of Commerce. AYES: Six. NAYS: None. Resolution No. 2007 – 106 adopted.

Moved by Morgan, seconded by Ewing to Introduce a Resolution Approving An Agreement With The Newton School District For The Newton Police Department To Provide School Crossing Guards And DARE Instruction For The 2007-2008 School Year. Council discussion ensued. AYES: Six. NAYS: None. Resolution No. 2007 – 107 adopted.

Moved by Mullan, seconded by Morgan to Introduce a Resolution Approving Uniform Service Contract With CINTAS For Public Works Employee Uniforms. AYES: Six. NAYS: None. Resolution No. 2007 – 108 adopted.

Moved by Morgan, seconded by Foreman to Introduce a Resolution Approving An Agreement For Urban-State Traffic Engineering Program (U-STEP) With The Iowa Department Of Transportation For The 2007 City Of Newton Traffic Signal Project. Councilmember Foreman asked if it had been decided which option the City would use for financing. City Administrator Watson stated that he would be bringing a resolution at the next council meeting for the Council to decide that. AYES: Six. NAYS: None. Resolution No. 2007 – 109 adopted.

Moved by Hansen, seconded by Ewing to Introduce a Resolution Approving An Engineering Services Agreement With Engineering Alliance, Inc. For The 2007 Traffic Signal Improvements Project. AYES: Six. NAYS: None. Resolution No. 2007 – 110 adopted.

Moved by Morgan, seconded by Mullan to Introduce a Resolution Approving An Architectural Services Agreement With FEH Associates, Inc. For The Book Drop Addition To The Newton Public Library. Councilmember Morris asked where the funding for the Library Foundation comes from. Sue Padilla, Library Director, stated that the Foundation is solely funded through donations and that the Library Foundation has invested that money so it gains interest and that the project will be funded entirely by the Library Foundation. The council members agreed that this was a very good project. AYES: Six. NAYS: None. Resolution No. 2007 – 111 adopted.

For the purposes of this agenda item Mike Hansen acting as Mayor Pro-Tem will now take over the meeting, Mayor Allen left the Council Chambers..

Moved by Ewing, seconded by Morgan to Introduce a Resolution Approving A Memorandum Of Agreement Between The City Of Newton And Iowa State Historic Preservation Regarding Buildings In The Maytag Plant 1 (Synergy Addition) Redevelopment Project. Councilmember Foreman asked, on record, if paragraph 1 of the resolution meant that the City would pay for the costs of the project if some of the grants do not come through. City Administrator Watson stated that the City would not pay for the costs. He stated that they would have enough to demolish the buildings. If some of the grants do not come through, they would look at the rest of the project pieces and would then do what there was enough grant money for. Councilmember Morris stated that the resolution should read 403 West 4th Street North. AYES: Five. NAYS: Foreman. Resolution No. 2007 – 112 adopted.

Mayor Allen came in the Council Chambers and resumed chairing the meeting.

Under discussion, Bryan Friedman, Community Development Director, spoke to the Council regarding the former RSVP building at 2009 First Avenue East. Discussion ensued on how best to market the property and where City staff should get proposals from real estate professionals to market properties that the City owns.

Under new business, Allen stated it was important to get the traffic control lights at 4th Ave and Hwy 14 replaced. Foreman asked that the concerns about the cemetery be looked into. Morris asked if the Against The Wind properties had been transferred to the City yet. City Attorney Hamilton advised the City did not own the properties, that the abstracts had recently been delivered and within a couple of weeks hopefully title opinions would be done and the properties could be transferred. Mullan asked for an update on the nuisance concerns. City Administrator Watson noted he had been working on that and would have something on the September 17th Council agenda.

Moved by Mullan, seconded by Foreman to adjourn the meeting at 6:56 p.m.
Motion unanimously carried by voice vote.

Charles Allen, Mayor

Jayme Ewing, Deputy City Clerk