

REGULAR CITY COUNCIL MEETING MINUTES
OCTOBER 1, 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.

Denny Slings, Park Director presented an update to the Mayor and City Council on the Maytag Bowl Improvements. Slings publicly thanked the Newton Transformation Council. He went on to note the band shell was built in 1935, with an addition completed in 1965 and upgrades done in 1985. The new design that is being done by engineers should be completed within thirty-days. The improvements would be done over three phases.

Moved by Morgan, seconded by Mullan to approve consent agenda items 3 - 7.

3. Approve September 17, 2007 Regular City Council Meeting Minutes and September 24, 2007 CIP-CEP Workshop Minutes
4. Approve Class C Beer Permit, Carryout Native Wine, Sunday Sales For Prairie Gas, 4300 South 22nd Avenue East
5. Approve Class C Liquor License, The Manhattan, 113 First Avenue East
6. Approve Special 5 Day Class B Beer Permit, Outdoor Service Area, Newton Chamber of Commerce For October Fest At Maytag Park, October 6, 2007
7. Approve Cigarette Permit For Prairie Gas, 4300 South 22nd Avenue East

AYES: Six. NAYS: None. Consent agenda items approved.

Mayor Allen stated this was the time and the place for a continued 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. No public participation. Mullan asked if there had been any other bids. David Watson, City Administrator stated there had been no other bids and it would be his recommendation for Council not to pass the resolution. Moved by Hansen, seconded by Foreman to close the public hearing. AYES: Six. NAYS: None. Public Hearing closed. There was no motion so therefore the resolution died.

Mayor Allen stated this was the time and place for a public hearing on the Resolution Approving The Voluntary Annexation Of Property Approximately 25 Acres, Located In Sections 1 and 12, Township 79 North, Range 19 West Of The 5th PM Into The City of Newton, Jasper County, Iowa. There were not written comments. No public participation. Foreman asked if there had been any promises made to turn this into a TIF area. David Watson, City Administrator stated he was not aware of any. Bryan Friedman, Community Development Director stated the Planning and Zoning Commission recommended turning this area into part of the TIF District. Moved by Foreman, seconded by Mullan to close the public hearing. AYES: Six. NAYS: None. Public Hearing closed. Moved by Ewing, seconded by Morgan to Introduce the Resolution Approving The Voluntary Annexation Of Property Approximately 25 Acres, Located In Sections 1 and 12, Township 79 North, Range 19 West Of The 5th PM Into The City of Newton, Jasper County, Iowa. AYES: Six. NAYS: None. Resolution No. 2007 – 124 adopted.

Mayor Allen stated he was going to continue the Public Hearing on the Resolution Approving The Voluntary Annexation Of Property, Approximately 3 Acres, Located In Section 1, Township 79 North, Range 19 West Of The 5th PM Into The City Of Newton, Jasper County, Iowa until the next regular city council meeting.

Mayor Allen stated this was the time and the place for a public hearing on the Resolution Approving The East-Mart Economic Development Area Urban Renewal Plan. There had been no written comments. There was no public participation. Hansen stated he felt this area was being created because of a potential project and stated we may be putting the cart before the horse, sending a signal that a project is already approved and that was not the case. We have been asked to approve this

resolution without having all the information. We need to decide if this should be a TIF District. Ewing also reiterated there had not been enough information provided. Foreman stated he didn't know why it would hurt to pass this resolution tonight. Mayor Allen stated perhaps this public hearing be continued. Moved by Hansen, seconded by Ewing to continue the public hearing to a meeting of the Mayor's choice. AYES: Four. NAYS: Foreman, Morris. Public hearing continued. Moved by Hansen, seconded by Ewing to have this resolution reintroduced at a meeting called by the Mayor. AYES: Six. NAYS: None. Motion passed.

Moved by Hansen, seconded by Morris to continue this ordinance providing that general property taxes levied and collected each year on all property located within the East-Mart Economic Development Urban Renewal Area. Motion passed.

Moved by Morgan to Introduce a Resolution Authorizing The Use of Bond Interest In The Capital Fund For Various Capital Improvements. Resolution fails for lack of second to the motion. Resolution failed.

Discussion was led by Denny Slings, Park Director on the proposed changes at the golf course as follows: The upcoming retirement of Golf Professional, Larry T. Stewart after 47 full time years of service, has provide the opportunity to restructure the Golf Clubhouse / Pro-Shop operations. The Newton Park Commission recognizes and thanks Mr. Stewart for his dedication and commitment to Westwood Gold Course and the Golf Industry. His name is synonymous with golf in Newton and his presence and influence will be missed not only within our department but throughout the local golfing community as well.

The following items highlight the major points of the restructuring:

- Individual occupying the position of Head Golf Professional is required to be a PGA Certified Professional as defined by the Professional Golf Association of America. This will continue our past practice of employing a PGA Certified Pro. The Park Board feels the professionalism and commitment a Certified Professional brings to the position is an advantage in developing and maintaining a strong club membership, group outing, and league play structure.
- Parks Department will own and operate all concessions. City ownership and operation of all concessions including beverage and food will provide the opportunity to enhance Golf revenues.
- Parks Department will own and operate all merchandise sales. City ownership and operation of all merchandise sales including golf equipment, clubs, golf balls; gloves, attire, etc. will provide the opportunity to enhance golf revenues.
- Owning and operating the concessions and merchandise requires a significant up front cash outlay to purchase concession equipment and merchandise displays, initially stock and maintain an inventory of resale items and provide annual payroll for employees working in concessions and merchandise. The Parks Department will be responsible for all the necessary beverage permits, dram shop insurance, cost of all merchandise and concession equipment and inventory as well as all labor necessary to operate these enterprises.
- On site housing and utilities will be available. The successful candidate will have the option of living in the upstairs apartment and continue the current practice of considering the value of the housing and utilities a part of the compensation package. If the successful candidate chooses not to reside in the available housing, the salary will be adjusted and the apartment offered for rent first to current Parks Department employees and then to the general public. It is deemed important for the security of the Clubhouse/Pro-Shop and surrounding area that the existing apartment be occupied.
- Compensation for the Golf Pro position will be a combination of base salary and incentives based on performance. More specifically, monetary bonuses will be earned if annual gross revenues for both daily greens fees and car rentals exceed dollar amounts based on averages established over the past four years.
- The Golf Pro is entitled to provide private golf lessons and retain 100% of the lesson fees. Private lessons will be restricted to the evening hours after the customary workday has been completed. The Junior Golf Program will continue to be promoted and offered as a valuable program for introducing young people to the game of golf.

- The Golf Pro position will be assigned increased involvement in promoting and marketing the Golf Course and related programs and services through the use of personal appearances, promotional spots, cable television access, website services, etc.

A discussion was held on the House Calls Redevelopment Agreement and Johnson Holdings Lease. It was noted the closing with House Calls has not taken place. Liens on the building were discussed. Staff was directed to take the necessary steps to secure the property and terminate the lease with Johnson Holdings.

The last discussion was on the FEMA Map and Zoning Code Amendments. Erin Chambers, City Planner presented a power point presentation. Some of the highlights of that discussion are as follows: Flood Insurance Rate Maps (FIRMs) have been finalized by FEMA, and have an effective date of December 4, 2007 for the City of Newton.

In advance of the effective date, the City of Newton must update the Flood Plain Overlay District and Definitions sections to meet the requirements set by FEMA. If City Code is not updated by October 26th, the City will not be included on federal publications of National Flood Insurance Program (NFIP) participants. As a participant in the NFIP, citizens of Newton are able to purchase federally subsidized flood insurance.

If the City of Newton were not to adopt the new Flood Plain Ordinance and definitions, the community would no longer be a NFIP participant. Mortgage lenders will require flood insurance on properties located within the 100-year flood zone regardless of a community's participation in NFIP. Citizens of communities who are not members of NFIP purchase flood insurance at a much higher rate. Staff was directed to have this item on the upcoming regular council agenda.

Moved by Hansen, seconded by Ewing to go into closed session to discuss with Counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage in the position of the governmental body in that litigation, which discussions are exempt from the open meetings law pursuant to the provisions of section 21.5(c), Code Of Iowa 2007. AYES: Six. NAYS: None. Motion passed.

Moved by Mullan, seconded by Morris to adjourn the meeting at 7:57 p.m. Motion unanimously carried by voice vote.

Charles Allen, Mayor

Candice Van Zee City Clerk