

REGULAR CITY COUNCIL MEETING MINUTES
DECEMBER 3, 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, Mullan. Absent: Morris.

Mayor Allen read a letter from the Department of the Army, recognizing Ed Clement, Fire Chief, Tom Wardlow, Police Chief, Leland Groves, Police Lt. and Gary Dodd, Police Lt.

There was no citizen participation.

Wendy Jenkins, Director of RSVP presented an update for the retired senior volunteer program. Jenkins also requested funding from the City to continue for fiscal year 08/09.

Motion by Mullan, seconded by Ewing to approve the consent agenda items 3 – 6.

3. Approve November 19, 2007 Regular City Council Meeting
4. Resolution Reappointing Jane Repp To Serve On The Planning And Zoning Commission For A Term Ending December 31, 2012. Resolution No. 2007 – 141 adopted
5. Resolution Reappointing Don Poynter To Serve On The Planning And Zoning Commission For A Term Ending December 31, 2012. Resolution No. 2007 – 142 adopted.
6. Resolution Appointing Dana Woody To Serve On The Planning And Zoning Commission For The Unexpired Term Ending December 31, 2011. Resolution No. 2007 – 143 adopted.

AYES: Five. NAYS: None. ABSENT: Morris. Consent agenda items approved.

Moved by Ewing, seconded by Hansen to Introduce a Resolution Approving Modification To Roadway And I-80 Ramp Improvement Associated With The Iowa Speedway. AYES: Five. NAYS: None. ABSENT: Morris. Resolution No. 2007 – 144 adopted

Moved by Ewing, seconded by Mullan to Introduce a Resolution Accepting Work On The City Roadways Leading To Iowa Motorsports Facility, Phase I – Rusty Wallace Drive (East) And Twin Box Culvert Project. Hansen stated he appreciated and thanked the many people that worked very hard to get this project done in five months for what would normally take twice as long to complete. AYES: Five. NAYS: None. ABSENT: Morris. Resolution No. 2007 – 145 adopted.

Moved by Hansen, seconded by Ewing to Introduce a Resolution Accepting Work On The City Roadways Leading TO Iowa Motorsports Facility, Phase II – Speedway Drive, Rusty Wallace Drive (West) And Ramp Reconstruction. AYES: Five. NAYS: None. ABSENT: Morris. Resolution No. 2007 – 146 adopted.

Moved by Mullan, seconded by Hansen to Introduce a Resolution Approving Purchase Of 25 Ea. Self Contained Breathing Apparatus (SCBA) With Spare Tanks From Sandry Fire Supply L.L.C. And A Vehicle Exhaust Extraction System From Air Cleaning Technologies, Inc. For The Fire Department. AYES: Five. NAYS: None. ABSENT: Morris. Resolution No. 2007 – 147 adopted.

Moved by Hansen, seconded by Ewing to Introduce a Resolution Authorizing The Submission Of An Application For Federal Airport Improvement Program Funding And Certifying Eligibility Requirements. Foreman wanted confirmation that passing this resolution does not lock us into any projects. It was noted this was just the application for funding and future projects would be brought back to city council for consideration. AYES: Five. NAYS: None. ABSENT: Morris. Resolution No. 2007 – 148 adopted.

Moved by Hansen, seconded by Ewing to Introduce a Resolution Authorizing A Maximum Of Three Step Increases For Building Official Melvin Duncan. Jim Plumb wanted a thorough explanation of what was being asked. It was noted this was for one step increase now and two additional step increases as certifications were completed, it was not for a range change. AYES: Five. NAYS: None. ABSENT: Morris. Resolution No. 2007 – 149 adopted.

Mayor Allen recused himself from this agenda item and handed the gavel over to Mayor Pro-Tem Hansen. Moved by Ewing, seconded by Mullan to Introduce the Resolution Directing The Advertisement For Sale Of \$690,000 Urban Renewal Tax Increment Revenue Bonds, Taxable Series 2007B, And Approving Electronic Bidding Procedures. Mayor Pro-Tem Hansen stated with no objections from city council staff was recommending postponing this resolution until no later than the January 21st city council meeting. There were no objections.

Mayor Allen took over the gavel. There was no new business to come before the council.

Mayor Allen stated the financial forecast meeting had been postponed.

Moved by Hansen, seconded by Mullan to go into closed session to discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage 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(1)(c), Code of Iowa 2007. AYES: Five. NAYS: None. ABSENT: Morris. Mayor Allen called for a five-minute recess to clear the council chambers.

At 6:51 p.m. City Council returned to open session. Moved by Hansen, seconded by Mullan to go into closed session to avoid disclosure of specific law enforcement matters, such as allowable tolerances or criteria for the selection, prosecution or settlement of cases, which if disclosed would facilitate disregard of requirements imposed by law, said discussions are exempt from the open meetings law pursuant to the provisions of section 21.5(1)(h), Code of Iowa 2007. AYES: Five. NAYS: None. ABSENT: Morris.

At 7:18 p.m. City Council returned to open session. Moved by Mullan, seconded by Ewing to adjourn the meeting at 7:18 p.m. Motion unanimously carried by voice vote.

Charles Allen, Mayor

Candice Van Zee City Clerk