

REGULAR CITY COUNCIL MEETING MINUTES
DECEMBER 17, 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.

Mayor Allen stated as we approached our final regular City Council Meeting of 2007, I thought it would be appropriate to look back and sum up our community's challenges and success of the year. Make no mistake about it 2007 has been a year of transformation and a new direction for our community.

- Our community was the first every to receive The Federal Government's Department of labor Regional Innovation Grant of \$250,000.
 - Since the Grant's inception, the Newton Story has been storied to all 50 states Workforce groups as a blueprint on how to respond to major changes in a community's employment outlook.
- Development by the Speedway
 - Loves Travel Plaza which will open very soon
 - Locally owned Prairie Fire Gas
 - AmericInn choosing Newton to build a new Hotel
- Springboard Engineering: A group of motivated Engineers chose to create a new business venture to keep people, their employees and owners right here in Newton.
- Remember in July when there was the POSSIBILITY that Newton would get a Wind Blade manufacturer. And now the ground north of town can't be moved and a building erected fast enough to place 500 new jobs.
- And of course who can forget the Iowa Corn 250, the Indy Race that not only showcased Newton to the Nation, but to the entire world.
 - Who's been to Newton:
 - Dale Earnhart Jr.
 - Kevin Harvick
 - Rousch Racing
 - DEI
 - Hendrick Motorsports
 - Richard Childress
 - AJ Foyt
 - Gene Simmons (of KISS)
 - Ashley Judd
 - Patrick Dempsey
 - ALL THE Presidential Candidates
 - Bill Clinton
 - Bands (Poison, Dokken, Lynard Skynard, 38 Special, and Charlie Daniels)

And of course we have had our Challenges:

- The month after month realization that our long time corporate and family company would close.
- The Ice Storm that crippled our power system in February.
- And the passing of long time public servant Jim Greve.

In the interim our community validated the selection of Marvin Morris who has stepped up and done a great job helping to move our community forward.

All of these projects could not have been done without our City Staff and this City Council. Make no mistake about this community and this council has challenged like no other community in this state. And both have endured.

As we enter the New Year, we will start with a new council mix. I want to thank Jean Morgan for her service for the past 4 years. No one can question Jean's commitment to her ideas and her passion for this community. Jean is the consummate public servant always offering of her time for others in need. Though Jean's current run of 20 years as an elected official from 16 on the School Board and the past four on this body, I am confident Jean will remain active and engaged in this process and seeing to it that our community continues to be progressive and growing. Mayor Allen handed over the

gavel to Mayor Pro-Tem Hansen to conduct the rest of the regular meeting. There was no citizen participation.

Linda Bacon, Director of the Convention and Visitor's Bureau presented an annual update to the City Council.

Motion by Ewing, seconded by Foreman to approve the consent agenda items 3 – 11.

3. Approve December 3, 2007 Regular City Council Meeting minutes and December 10, 2007 Special City council Meeting Minutes
4. Resolution Reappointing John Billingsley To Serve On The Zoning Board of Adjustment For A Term Ending December 31, 2011. Resolution No. 2007 – 150 adopted
5. Resolution Reappointing Jim Gran To Serve On The Water Board For A Term Ending December 31, 2013. Resolution No. 2007 – 151 adopted.
6. Resolution Reappointing Pat Wallace To Serve On The Board of Appeals For A Term Ending December 31, 2012. Resolution No. 2007 – 152 adopted.
7. Resolution Appointing Gerald LoRang To Serve On The Historic Preservation Commission for a Term Ending December 31, 2009. Resolution No. 2007 – 153 adopted.
8. Resolution Appointing Melanie Lahart To Serve On The Historic Preservation Commission for a Term Ending December 31, 2009. Resolution No. 2007 – 154 adopted.
9. Resolution Appointing Ferdinand Cahbot To Serve On The Historic Preservation Commission for a Term Ending December 31, 2009. Resolution No. 2007 – 155 adopted.
10. Resolution Appointing Christopher Frances To Serve On The Historic Preservation Commission for a Term Ending December 31, 2010. Resolution No. 2007 – 156 adopted.
11. Resolution Appointing Maxine Udelhoven To Serve On The Historic Preservation Commission for a Term Ending December 31, 2010. Resolution No. 2007 – 157 adopted.

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

Mayor Pro-Tem Hansen stated the next two agenda items he would be abstaining from voting on, as there was a conflict. Moved by Mullan, seconded by Ewing to Introduce a Resolution Approving The Final Plat For Wright's 2nd Addition In The City of Newton, Jasper County Iowa. It was noted Pete Koppin had called and objected to the waving of the sidewalk requirement in the resolution. Discussion ensued by the council members Bryan Friedman; Community Development Director noted the location of some of the areas that the sidewalk requirement had been waived. Foreman stated this was a wonderful addition but had a problem with waiving the sidewalk requirement. A motion by Ewing was made to waive the sidewalk requirement. The motion died for the lack of a second to his motion. Moved by Ewing to amend the resolution waiving the sidewalk requirement by adding it to the plat for future city council consideration. AYES: Five. NAYS: None. ABSTAIN: Hansen. Motion to amend failed. Mayor Pro-Tem Hansen requested the clerk to call the roll on the original resolution. AYES: Five. NAYS: None. ABSTAIN: Hansen. Resolution No. 2007 – 158 adopted

Moved by Ewing, seconded by Foreman to Introduce a Resolution Accepting Additional Road Right Of Way And A Public Utility Easement Abutting The Existing Right Of Way Of Iowa Speedway Drive And South 9th Avenue East, City of Newton. AYES: Five. NAYS: None. ABSTAIN: Hansen. Resolution No. 2007 – 159 adopted.

Moved by Foreman, seconded by Ewing to Introduce a Resolution Approving Sub-Recipient Agreement With Polk County. AYES: Six. NAYS: None. Resolution No. 2007 – 160 adopted.

Moved by Morris, seconded by Mullan to Introduce a Resolution Approving Inmate Off-Grounds Labor Agreement Between The Iowa Department Of Corrections And The City of Newton, Iowa As Provided By Chapter 28E, Code of Iowa. AYES: Six. NAYS: None. Resolution No. 2007 – 161 adopted.

Moved by Ewing, seconded by Mullan to Approve The Residential Anti-Displacement Relocation Assistance Plan Under Section 104(D) Of The Housing And Community Development Act of 1974, As Amended. AYES: Six. NAYS: none. Motion carried.

Moved by Foreman, seconded by Morris to approve the Policy On The Use Of Excessive Force. AYES: Six. NAYS: None. Motion Carried.

There was no new business that came before the council.

Moved by Ewing, seconded by Foreman 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: Six. NAYS: None. Mayor Pro-Tem Hansen called for a five-minute recess to clear the council chambers.

At 7:00 p.m. all City Council members returned to open session. Moved by Foreman, seconded by Ewing to go into closed session to evaluate the professional competency of an individual whose appointment, hiring, performance or discharge is being considered when necessary to prevent needless and irreparable injury to that individual's reputation and that individual request a closed session. Pursuant to the Provisions of Section 21.5 (1)(i), Code of Iowa 2007. AYES: Six. NAYS: None. Motion carried.

At 7:56 p.m. all City Council members returned to open session. Moved by Foreman, seconded by Ewing to adjourn the meeting at 7:578 p.m. Motion unanimously carried by voice vote.

Charles Allen, Mayor

Candice Van Zee City Clerk