

REGULAR CITY COUNCIL MEETING MINUTES
JUNE 2, 2008, 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 Plumb, Hansen, Ewing, Foreman, Morris, Mullan. Absent: None.

There was no citizen participation.

Moved by Foreman, seconded by Mullan to approve consent agenda items 2-5. Council member Morris stated he wanted to discuss Item Number 5 and in particular the special license for Okoboji Grill. He stated that he felt that we were sending a poor message to the youth by selling liquor in Maytag Park. Further discussion ensued. Moved by Plumb, seconded by Morris to pull item 5 out of the consent agenda. AYES: Plumb, Foreman, Morris. NAYS: Hansen, Ewing, Mullan. Motion failed.

2. Approve May 19, 2008 Regular City Council Meeting Minutes
3. Resolution Adopting June 2007 Supplement To The Code Of Ordinances, City Of Newton, Iowa, 2993, And Approving Distribution Of The Same To Code Subscribers. Resolution No. 08-058 Adopted.
4. Approve Cigarette Permits submitted from Walgreen's, 1204 First Avenue East, Casey's # 1375, 1006 North 19th Avenue East, Casey's # 1911, 1018 First Avenue East, Casey's # 2341, 3104 First Avenue East, Casey's # 2417, 1200 West 18th Street South, Hy-Vee Drugstore, 1207 First Avenue East, Hy-Vee, 1501 First Avenue East, Fareway, 120 North 3rd Avenue East, Git-N-Go #14, 801 First Avenue West, Kum & Go # 333, 405 First Avenue East, Kum & Go # 47, 1708 South 8th Avenue East, Petro Stop, 404 South 11th Avenue West
5. Approve Class B Beer Permit, Sunday Sales, Pizza Hut, 1337 First Avenue East, 14 Day Special Class C Liquor License, Sunday Sales, Okoboji Grill For Sculpture Festival and Indy Pit Stop Events At Maytag Park

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

Mayor Allen stated this was the time and the place for a public hearing on the Resolution Approving Contract For The 2008 Traffic Signal Improvement Project. There had been no written comments and there was no public participation. Interim City Administrator Wardlow noted that the bids came in higher than the engineers estimate and there were ongoing discussions on where the extra funding would come from. He suggested continuing the public hearing to the June 16th. Moved by Plumb, seconded by Mullan to continue the public hearing. AYES: Six. NAYS: None. Public hearing continued.

Interim City Administrator asked that the Resolution Approving Bids For Salt Shed be continued to the June 16th meeting. There were no objections and the resolution was continued to June 16th.

Moved by Morris, seconded by Mullan to Introduce a Resolution Approving Engineering Services Agreement For East 8th Street North Relocation RISE Project. Council member Foreman asked if we use RISE for this where the City's funding will come from. Community Development Director Bryan Friedman stated that the redevelopment agreement calls for the City to bond for up to 2 million which includes the full cost of the relocation but the number will now be lowered with the \$630,000 grant. Council member Plumb asked when we would have a preliminary cost of the entire project. Friedman noted that it would probably still be a couple of months. Council member Hansen asked why the contract was broken down into 3 steps. Public Works Director David Stewart stated that City staff could do parts of Task 2 and Task 3 depending on time limits and it appeared they would be able to do some of the work. Council member Ewing asked if the engineering services had been discussed with any other company besides CGA. Stewart stated that he had not discussed it with any other companies because CGA was already working with the property owners on their portion and were familiar with the project and the work they have done in the past for us has been excellent. AYES: Six. NAYS: None. Resolution No. 2008 – 059 adopted.

Moved by Foreman, seconded by Hansen to Introduce a Resolution Approving The 2008-09 Non-Union Compensation Plan. AYES: Six. NAYS: None. Resolution No. 2008 – 060 adopted.

Moved by Ewing, seconded by Mullan to Introduce a Resolution Approving Agreement With The Iowa Department Of Transportation For Revitalizing Iowa's Sound Economy (RISE) Grant. Mayor Allen wanted to thank the City staff for all of their hard work on getting this grant. Council member Hansen stated the council report said any money spent after May 13 would be reimbursable and he wanted to know if any money had been spent on the project before that date. Interim City Administrator Wardlow stated that there had not been any money spent before that. AYES: Six. NAYS: None. Resolution No. 2008-061 adopted.

Moved by Hansen, seconded by Ewing to Introduce a Resolution Authorizing Changing Dental Service Provider To Delta Dental And Changing Third Party Administrator to United Medical Resources. AYES: Six. NAYS: None. Resolution No. 2008-062 adopted.

Moved by Hansen, seconded by Foreman to Introduce a Resolution Stating Intent To Accept Purchase Proposal From Beukema Family, Setting Public Hearing On Proposed Sale Of Urban Renewal Land, And Inviting Competing Proposals. AYES: Six. NAYS: None. Resolution No. 2008-063 adopted.

Moved by Foreman, seconded by Mullan to Introduce a Resolution Approving Payment To The Iowa Department Of Transportation For Road Right-Of-Way In Section 2, Township 79 North, Range 10 West Of The 5th PM On Behalf Of Meisner And Woebeking Properties. AYES: Six. NAYS: None. Resolution No. 2008-064 Adopted.

There was no new business come before the Council.

Under old business, the Council wanted an update on the air conditioning system at City Hall. Interim City Administrator Wardlow stated that RFPs went out on Thursday and quotes are to be in on Friday, June 6th. We will be asking for a special meeting the week of June 9th to act on the bids. He also noted that staff has a concern with the 2 server rooms located at City Hall and at the Police Department and that we were looking into options for those.

Moved by Hansen, 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 Provision of Section 21.5(1)(c), Code of Iowa 2007. AYES: Six. NAYS: None. Motion carried at 6:32 p.m. Mayor Allen declared a five-minute recess to clear the council chambers. Mayor Allen recused himself from the closed session and handed the gavel to Mayor Pro-Tem Hansen.

Upon return to open session at 7:20 p.m. a motion was made by Morris, seconded by Plumb to adjourn the meeting at 7:24 p.m. Motion unanimously carried by voice vote.

Charles Allen, Mayor

Jayne Ewing, Deputy City Clerk
City Clerk