

REGULAR CITY COUNCIL MEETING MINUTES
OCTOBER 20, 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 via telephone, Ewing, Foreman, Morris, Mullan. Absent: None.

There was no citizen participation.

Moved by Morris, seconded by Mullan to approve consent agenda items 2-5.

2. Approve October 6, 2008 Regular City Council Meeting Minutes and October 13, 2008 Special City Council Meeting Minutes
3. Approve Class C Beer Permit, Carryout Native Wine, Sunday Sales, Prairie Gas, 4300 South 22nd Avenue East
4. Approve Class C Liquor License, Sunday Sales, Veteran's of Foreign Wars Post # 1655, 315 First Avenue West
5. Approve Class C Liquor License, Outdoor Service Area, Sunday Sales, Senor Tequila, 1820 South 12th Avenue West

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

Mayor Allen stated this was the time place for a public hearing on a Resolution Approving Sale Of Property Located At 801 South Fifth Avenue West Through The City of Newton Dangerous And Dilapidated Building Program To Robert M. Kahn. There had been no written comments and there were no public comments. Foreman stated he was fine with the agreement except for the fact that approximately \$5,000 had been spent by the City to clear and maintain the lot. He felt the proposal should include those costs. Bryan Freidman, Community Development Director stated the proposal was to purchase the property to build a house on it within one year. The value of the new house would be at least \$195,000. The house would be eligible for tax abatement. Once the abatement period was over, the property would generate close to \$4,000 in total property taxes per year. The offer is very consistent with the goals of the D & D program. Through City action, a low-value property that detracted from its neighborhood will be replaced by a new house, which builds the tax base and improves the community. Moved by Foreman, seconded by Ewing to close the public hearing. AYES: Six. NAYS: None. Public hearing closed. Moved by Morris, seconded by Mullan to introduce a Resolution Approving Sale Of Property Located At 801 South Fifth Avenue West Through The City of Newton Dangerous And Dilapidated Building Program To Robert M. Kahn. AYES: Six. NAYS: None. Resolution No. 2008-133 adopted.

Mayor Allen stated this was the time and the place for a public hearing on the Resolution To Not Accept Offers Of Proposed Lease Or Sale Of Urban Renewal Land At 518 West Third Street North. There had been no written comments and there were no public comments. It was noted three proposals to lease were presented by local small business owners in discussions with City staff. It would be difficult to fairly choose between the small businesses and approve one of the lease proposals, as they were all requesting similar below-market-rate terms that were given to the Winery. Additionally, it is not the intent of the Urban Renewal Area for the City to be a long-term landlord.

Another proposal was received from the neighboring Centre for Arts and Artists (CAA), asking that the City delay decisions on the property as the CAA continues to court an artisan foundry to the area. The CAA has been working with the Newton Development Corporation (NDC) to market the concept of a foundry where sculptures and other works of art could be produced. They are currently working with several prospects and NDC has offered to actively facilitate the establishment of a foundry. The City, with its ownership of all the land surrounding the former Winery building, is in a good position to customize the site boundaries to meet the precise needs of potential prospects. If additional land is needed for expansion or parking, the City could include it with the building. The potential for an art foundry presents a unique opportunity that could be a good fit for the location and for the community. Moved by Foreman, seconded by Mullan to close the public hearing. AYES: Six. NAYS: None. Public hearing closed. Moved by Foreman, seconded by Mullan to Introduce a Resolution To Not Accept

Offers Of Proposed Lease Or Sale Of Urban Renewal Land At 518 West Third Street North. AYES: Six. NAYS: None. Resolution No. 2008 – 134 adopted.

Moved by Morris, seconded by Hansen 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 Adding Section 11.1016(G)(2), Three Hours Parking Streets. AYES: Six. NAYS: None. Ordinance passed first consideration. Moved by Hansen, seconded by Foreman to suspend the rules and waive the second and third readings of the above ordinance. AYES: Six. NAYS: None. Ordinance passed second and third readings. Moved by Foreman, seconded by Ewing to adopt the above Ordinance. AYES: Six. NAYS: None. Ordinance No. 2130 adopted.

Moved by Foreman, seconded by Plumb 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 Adding To Section 11.1011, Truck Parking Limited. AYES: Six. NAYS: None. Ordinance passed first consideration. Moved by Foreman, seconded by Hansen to suspend the rules and waive the second and third readings of the above ordinance. AYES: Six. NAYS: None. Ordinance passed second and third readings. Moved by Plumb, seconded by Mullan to adopt the above Ordinance. AYES: Six. NAYS: None. Ordinance No. 2131 adopted.

Moved by Morris, seconded by Mullan to Introduce a Resolution Approving The 2008 To 2010 Council Goal Setting Report and Action Plan. It was noted beginning in January, Council would be presented a quarterly update on the goals. AYES: Six. NAYS: None. Resolution No. 2008 – 135 adopted.

Moved by Mullan, seconded by Foreman to Introduce a Resolution Accepting Work On The Monroe Drive Box Culvert Drop Structure Project. AYES: Six. NAYS: None. Resolution No. 2008 – 136 adopted.

Moved by Morris, seconded by Plumb to Introduce a Resolution Approving Affirmative Fair Housing Policy Per The Requirements Of The Community Development Block Grant Program. AYES: Six. NAYS: None. Resolution No. 137 adopted.

Ed Clement, Fire Chief stated he was looking into a program called Iowa Offset, it was established on the state level and it enables Cities to collect on unpaid ambulance billings. He stated that he would like to see the city enroll into this program. It was noted these were not bills that were related to Medicare. The Mayor directed staff to bring a resolution to the next council meeting.

The next agenda item was a discussion on the North Central TIF District. Bryan Friedman, Community Development Director stated the area was established in 1987 in area north and west of down square. There is no sunset, as it preceded 20-year limit. There have been many successful redevelopment projects. The district borrowed from flush general fund in the early years; will complete the payback of general fund in 08-09. The value from TIF district can be released to general taxation per annual decision of City Council by December 1st of each year, it does not change boundaries or status of district; does not change tax bills of properties in district – only on how those taxes are used. Friedman gave an update on the status of the current fiscal year and what happens next year. Options were discussed with the possibility of releasing from the TIF district back to general taxation and presenting a resolution for consideration at a future council meeting.

Another discussion ensued on Sodexo. Doug Williams stated Sodexo was looking at a shortfall the next two years. There had been an agreement with Maytag whereas they would reimburse \$75,000 and paid their taxes on leased space. Mayor Allen stated this was a unique situation and we need ideas for a solution, if not by property taxes maybe something else. Discussion ensued.

Under new business Tom Wardlow, Interim City Administrator stated there had been flowers and etc. removed from the graves to the dumpsters at the cemetery. Extra patrol was being used in an attempt to find the suspects. This is emotionally dramatic to family members.

Under old business Foreman reminded Mayor Allen about the implementation of certificates for fixed up homes in Newton.

Moved by Foreman, seconded by Morris to adjourn the meeting at 6:55 p.m. Motion unanimously carried by voice vote.

Charles Allen, Mayor

Candice Van Zee, CMC
City Clerk