

REGULAR CITY COUNCIL MEETING MINUTES  
FEBRUARY 2, 2009, 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 4<sup>th</sup> Street South. Mayor Pro-Tem Hansen presided. Present: Council members Plumb, Julius, Foreman, Morris, Mullan. Absent: None.

At citizen participation Pete Koppin, 1120 West 18<sup>th</sup> Street South verbalized his displeasure on how the agenda was posted in the Newton Daily News.

Moved by Morris, seconded by Julius to approve consent agenda items 2 – 5.

2. Approve January 19, 2009 Regular City Council Meeting Minutes
3. Approve Class C Beer Permit, Carryout Wine, Fareway, 120 North 3<sup>rd</sup> Avenue East
4. Approve Class C Liquor License, Sunday Sales, American Legion, 1101 West 4<sup>th</sup> Street South
5. Approve Class C Liquor License, Outdoor Service Area, Sunday Sales, Native Wine Carryout, Ovations Food Service, 3333 Rusty Wallace Drive

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

Moved by Morris, seconded by Julius to Introduce a Resolution Authorizing Agreement Between The City of Newton, Iowa And The Iowa Speedway For Fire Pumper / Firefighter Standby For The Iowa Speedway. Ed Clement, Fire Chief noted there are certain race sanctioning bodies that require a fire pumper truck to be on site as part of their requirements for sanctioning a race. There are three weekend events that have been tentatively scheduled with the fire department. This agreement allows for the City to provide that service, recoup its costs and still provide for the protection of the City of Newton as a whole. Foreman stated he had concern if there was an emergency in some other location in the city, there could be a problem getting the pumper out of the speedway area, it was suggested perhaps they could purchase there own pumper. AYES: Six. NAYS: None. Resolution No. 2009 – 006 adopted.

Moved by Mullan, seconded by Morris to Introduce a Resolution Approving 2009 Ambulance Fee Schedule. The only discussion was clarification that the fee increase would not affect those seniors and only be charged what Medicare would pay for. It was noted they would not be charged above what Medicare pays for. AYES: Six. NAYS: None. Resolution No. 2009 – 007 adopted.

Moved by Mullan, seconded by Morris to Introduce a Resolution Approving A Contract For Traffic Control Services During Iowa Speedway Events In 2009. Foreman noted since the onset of Speedway events this is not the responsibility of the city to pay for traffic control, this should be paid for by the Iowa Speedway. Plumb requested the amounts of what had been paid in previous years for traffic control. Thomas Wardlow, Interim City Administrator stated in 06-07 \$5,908 and in 07-08 \$4,910. Morris stated for the economic impact of these events it is worth the money we pay for traffic control. AYES: Five. NAYS: Foreman. Resolution No. 2009 – 008 adopted.

Moved by Mullan, seconded by Julius to Introduce a Resolution Approving Project Submittal For Potential Federal Economic Stimulus Funding – Road Improvements. Foreman stated he thought this was a good program it's just the wrong project. David Stewart, Public Works Director noted the project must meet specific criteria of the following:

- On the Federal Functional Classification System (generally high volume collector/arterial streets)
- Shovel ready (no environmental, right-of-way issues, etc.)
- Engineering complete or nearly complete
- Not already in year one program for funding
- Possible consideration for projects that have "green" qualities/impacts

Stewart went on to note this limits us to certain projects and results in us not being able to do potentially higher priority road projects needed by our community. The good news is we do have a road project (East 31<sup>st</sup> Street North of 1<sup>st</sup> Avenue And North 19<sup>th</sup> Avenue East West to East 19<sup>th</sup> Street North) that will fit the criteria and is needed. A discussion ensued over the rules of the stimulus program. It was suggested by Darrin

Hamilton, City Attorney to amend the resolution in the event the rules were changed. Therefore this amendment was offered: Motion by Hansen, seconded by Mullan BE IT RESOLVED, if the proposed stimulus package rules change, allowing the city to repair a higher priority road, this council would like the opportunity to change roads to address our highest priority road needs, fitting the rules. AYES: Four. NAYS: Plumb, Foreman. Amendment passed. Mayor Pro-Tem Hansen asked the Clerk for the roll call voted on the resolution as amended. AYES: Four. NAYS: Plumb, Foreman. Resolution No. 2009 – 009 adopted.

Moved by Mullan, seconded by Julius to Introduce a Resolution Approving Wastewater Facility Plan. Foreman stated for the record this resolution was only adopting the facility plan that is required by the DNR, with the understanding that each project within the plan would require council approval. David Stewart, Public Works Director noted to complete the 09-10 budget it must be decided if projects will be acted upon and which projects those should be. Discussion ensued. It was reiterated the resolution was only adopting the plan itself, no projects. AYES: Five. NAYS: Plumb. Resolution no. 2009 – 010 adopted.

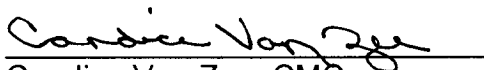
Moved by Hansen, seconded by Julius to remove from the table the resolution setting dates for spring clean up 2009 and approving adjustments to the solid waste / recycling fee to pay for spring clean up. AYES: Five. NAYS: Mullan. Motion to remove from the table approved. Foreman stated he appreciated the council tabling this resolution at the last regular city council meeting since he was not able to attend the meeting because of a death in his family. Foreman went on to note he has always been an advocate of the program, but if it cannot be done for \$4.50 - \$5.00 he would not be voting for it. Morris stated he had received seventeen calls, while 3 were for the program, there were 14 that were not, and we are taking away the manpower from repairing the streets. Mullan stated the calls he had received were against it, he was not in favor of it. Plumb noted he went door knocking; there was a willingness to pay an amount. Julius stated Dodd's are willing to pick it up for a fee; the comments I have been receiving are half and half. Hansen stated the comments he has been hearing is over \$5.00 additional is too much and we shouldn't charge for those that do not participate. Foreman stated for the record Dodd's charge a reasonable fee, but people cannot afford it. Foreman moved to amend the resolution to reflect a \$4.50 additional fee for spring cleanup. Motion died for lack of a second to his motion. Moved by Plumb to amend the resolution to reflect a \$7.13 additional fee for spring cleanup. Motion died for lack of a second to his motion. Moved by Julius, seconded by Hansen to Introduce a Resolution Setting Dates For Spring Cleanup 2009 And Approving Adjustments To The Solid Waste / Recycling Fee TO Pay For Spring Cleanup. AYES: None. NAYS: Six. Resolution died.

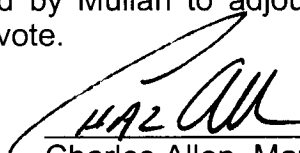
The next order of business was a discussion on the budget process. Thomas Wardlow, Interim City Administrator stated we are on a stringent timeline. Adopting the budget the last week of February. We will need to walk out of the budget workshop on February 9<sup>th</sup> with very few changes; if there are significant changes we need to get these figured out by this Friday. Hansen stated we could probably agree with the numbers, just not all the proposals. Wardlow received consensus from Council to hold the meeting to adopt the budget on February 25, 2009.

There was no new business.

Under new business it was noted 8<sup>th</sup> Avenue was being taken care of.

Moved by Foreman, seconded by Mullan to adjourn the meeting at 7:21 p.m. Motion unanimously carried by voice vote.

  
Candice Van Zee, CMC  
City Clerk

  
Charles Allen, Mayor