

REGULAR CITY COUNCIL MEETING MINUTES  
JULY 6, 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 Allen presided. Present: Council members Plumb, Hansen via telephone, Julius, Morris, Mullan. Absent: None

At citizen participation Mayor Allen recalled that it was the first time in fourteen years that Ron Foreman was not involved in the City Council meeting. He thanked Ron and his family; and stated that Ron would be missed. Allen gave tribute to Ron's commitment to the City of Newton and his hard work.

Moved by Morris, seconded by Mullan, to approve consent agenda items 2 & 3.

2. Approve June 15, 2009 Regular City Council Meeting Minutes.
3. Approve Class C Liquor License, Sunday Sales, Giovanni's Pizza, 2020 First Avenue East; Class B Native Wine, Sunday Sales, Courtyard Floral, 107 West 2<sup>nd</sup> Street North

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

Mayor Allen stated this was the time and the place for a Public Hearing on a Resolution Accepting Purchase Proposal For Property Located At 2009 1<sup>st</sup> Avenue East In Newton. Bryan Friedman, Director of Community Development, presented the offers received. Jerry Doyle, Doyle-Devoe LLC, spoke. Scott Keenan, bidder, spoke. Pete Koppin, 1120 W 18<sup>th</sup> St S. spoke. Discussion ensued by Council Members. The Public Hearing was continued. Moved by Plumb, seconded by Hansen to Introduce a Resolution Rejecting All Proposals For Property At 2009 1<sup>st</sup> Avenue East In Newton And Setting Public Hearing On August 17, 2009 At 5:30 P.M., Inviting Proposals, And Stating Intent To Accept Purchase Proposal For Property At 2009 1<sup>st</sup> Avenue East In Newton. AYES: Four. NAYS: Juilus. Resolution No. 2009 – 077 adopted.

For the next agenda item Mayor Allen recused himself and handed the meeting over to Mayor Pro-Tem Hansen. Hansen stated this was the time and the place for a Public Hearing on a Resolution Approving A Re-Stated Planned End Result Of A Community Development Block Grant Project For The Maytag Downtown Campus Demolition Activity. There had been no written comments. Pete Koppin spoke on the subject. Moved by Plumb, seconded by Morris to close the public hearing. AYES: Five. NAYS: None. Public Hearing closed. Moved by Plumb, seconded by Mullan to approve the above resolution. AYES: Five. NAYS: None. Resolution No. 2009 – 078 adopted.

Mayor Pro-Tem Hansen handed the meeting back over to Mayor Allen.

Mayor Allen stated this was the time and the place for a Public Hearing on Ordinance Amending The City Of Newton Official Zoning Map To Rezone 801 Union Drive From R-2: One And Two Family Dwelling District To I-L: Light Industrial District. There had been no written comments and no public comments. Moved by Morris, seconded by Plumb to close the public hearing. AYES: Five. NAYS: None. Public Hearing closed. Moved by Juilus, seconded by Mullan to approve the first consideration of the above ordinance. AYES: Five. NAYS: None. First consideration of the ordinance passed. Moved by Juilus, seconded by Plumb to suspend the rules and waive the second and third considerations of the above ordinance. AYES: Five. NAYS: None. Second and third considerations passed. Moved by Plumb, seconded by Mullan to adopt the above Ordinance. AYES: Five. NAYS: None. Ordinance No. 2137 adopted.

Moved by Mullan, seconded by Plumb to introduce on first consideration an Ordinance Designating The Names East 5<sup>th</sup> Street North And North 15<sup>th</sup> Avenue East For A New Section Of Road In Northwestern Newton, Jasper County, Iowa. Hansen suggested that the name of the road recognize the activities in that area, such as, Production Road or Parkview Road. Mullan preferred that it be consistent with the numbering system in place, for ease of locating destinations. AYES: Five. NAYS: None. Ordinance passed first consideration. Moved by Morris, seconded by Plumb to suspend the rules and waive the second and third considerations of the above ordinance. AYES: Five. NAYS: None. Ordinance passed second and third considerations. Moved by Mullan, seconded by Plumb to adopt the above Ordinance. AYES: Five. NAYS: None. Ordinance No. 2138 adopted.

Moved by Juilus, seconded by Mullan, to Introduce a Resolution Approving Newton Municipal Airport Sign Proposal. Juilus commented that the Iowa Speedway has brought notoriety and traffic to Newton; the Newton Airport is one of the channels that bring that traffic in. AYES: Five. NAYS: None. Resolution No. 2009 – 079 adopted.

Moved by Morris, seconded by Mullan, to Introduce a Resolution Fixing Date For A Meeting On The Proposition Of The Issuance Of Not To Exceed \$2,180,000 General Obligation Refunding Bonds (For Essential Corporate Purposes) Of Newton, Iowa, And Providing For Publication Of Notice Thereof. Mayor Allen noted that the resolution would set the public hearing for July 20, 2009, at 5:30 p.m. Hansen informed the public that Council did hold a workshop with bond advisors to determine the most beneficial course of action for the City. AYES: Five. NAYS: None. Resolution No. 2009 – 080 adopted.

Moved by Hansen, seconded by Plumb, to Introduce a Resolution Fixing Date For A Meeting On The Proposition Of The Issuance Of Not To Exceed \$3,700,000 General Obligation Bonds (For An Urban Renewal Purpose) Of Newton, Iowa, And Providing For Publication Of Notice Thereof. Mayor Allen noted that the resolution would set the public hearing for July 20, 2009, at 5:30 p.m. AYES: Five. NAYS: None. Resolution No. 2009 – 081 adopted.

Moved by Morris, seconded by Mullan, to Introduce a Resolution Fixing Date For A Meeting On The Proposition Of The Issuance Of Not To Exceed \$570,000 General Obligation Bonds (For An Essential Corporate Purposes) Of Newton, Iowa, And Providing For Publication Of Notice Thereof. Mayor Allen noted that the resolution would set the public hearing for July 20, 2009, at 5:30 p.m. AYES: Five. NAYS: None. Resolution No. 2009 – 082 adopted.

Moved by Plumb, seconded by Juilus, to Introduce a Resolution Approving Newton Sanitary Landfill Comprehensive Plan Update And Authorizing Submittal To The Department Of Natural Resources. Mullan referred to page 13 under Opportunities for Improvements, which state that the landfill will continue to accept household electronics and direct business electronics to proper recyclers. Mullan voiced his concern for accepting any e-waste. The subject will be directed to the Landfill's 28E Board. AYES: Five. NAYS: None. Resolution No. 2009 – 083 adopted.

Moved by Mullan, seconded by Plumb, to Introduce a Resolution Ordering Bids. Approving Plans, Specifications And Form Of Contract And Notice To Bidder, Fixing Amount Of Bidders Check, And Ordering Clerk To Publish Notice, And For A Public Hearing On Plans, Specifications, Form Of Contract And Estimate Of Costs For The 2009 Hot Mix Asphalt (HMA) Resurfacing Program AYES: Five. NAYS: None. Resolution No. 2009 – 084 adopted.

Moved by Morris, seconded by Plumb, to Introduce a Resolution Ordering Bids, Approving Plans, Specifications And Form Of Contract And Notice Of Hearing And Invitation To Bid, And Ordering Clerk To Publish Notice And Fixing A Date For Receiving Same, And For A Public Hearing On Plans, Specifications, Form Of Contract And Estimate Of Costs For The Leachate Collection – 1975 SLF Project At The Newton Sanitary Landfill. AYES: Five. NAYS: None. Resolution No. 2009 – 085 adopted.

Moved by Morris, seconded by Juilus to Introduce a Resolution Approving 2009 Ambulance Revised Fee Schedule. Hansen requested clarification on the amounts given. Ed Clements, Fire Chief, stated that the rates are not solely driven on insurance reimbursements but are also compared to many other central Iowa service providers. Clements stated that there are no additional amounts collected from citizens for the difference in the amount that Medicare or Medicaid pays. The City absorbs that cost. AYES: Five. NAYS: None. Resolution No. 2009 – 086 adopted.

Under the discussion regarding Council Vacancy, Darrin Hamilton, City Attorney, informed council of their options to either appoint or elect. Discussion ensued by Council Members. It was determined that an appointment would be made. A publication will be made July 16, 2009, asking for candidate applications; applications must be received by July 24, 2009, at 4:30 p.m.; the appointment will be made during the Regular City Council Meeting on August 3, 2009, at 5:30 p.m. Citizens may file a petition within 14 days after publication or 14 days after appointment.

No new business,

Under old business, Juilus indicated that the nuisance instances are becoming ugly and asked if we should start mowing. Tom Wardlow, City Administrator, advised Council that, unless there was consensus to tell him not to, it is his plan to authorize Public Works to hire a seasonal individual to service the properties whereas the owner could not be served. Plumb stated that we do have a process in place and should not spend taxpayer's money. He called on the citizens to help mow these properties in their own neighborhoods. There was no consensus to negate Wardlow's proposal.

Moved by Mullen, seconded by Plumb, to adjourn the meeting at 7:04 p.m. Motion unanimously carried by voice vote.

---

Charles Allen, Mayor

---

Katrina Romick  
Deputy City Clerk