

Agenda: Newton City Council

City Council Meeting

Council Chambers, 101 W 4th St S., Newton, IA 50208
Mediacom Channels: 12/85/121.12, Website Livestream:
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Council Meetings (www.newtongov.org/cablecast).

May 02, 2022 6:00 p.m.

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| Pledge | Pledge of Allegiance |
| Call to Order | 1. Roll Call |
| Proclamation | 2. Building Safety Month — May, 2022
3. Historic Preservation Month — May, 2022
4. National Public Works Week — May 15 – 21, 2022
5. Emergency Medical Services (EMS) Week — May 15 – 21, 2022
6. National Police Week (May 15 – 21, 2022); National Peace Officer Memorial Day (May 15, 2022) |
| Presentations | 7. CIRHA Housing Programs in Newton - Marcy Conner, Executive Director, Central Iowa Regional Housing Authority (CIRHA) |
| Citizen Participation | 8. This is the time of the meeting that a citizen may address the Council on matters that are included in the consent agenda or a matter that is not on the regular agenda. After being recognized by the Mayor, each person will be given three (3) minutes to speak. Comments and/or questions must be related to City policies or the provision of City services and shall not include derogatory statements or comments about any individual. Except in cases of legal emergency, the City Council cannot take formal action at the meeting, but may ask the City staff to research the matter or have the matter placed on a subsequent agenda. |
| Consent Agenda | 9. April 18, 2022 Regular City Council Meeting Minutes
10. Approve Liquor Licenses for the following: Nostalgia Wine & Spirits, 109 N 2nd Ave E. temporarily extending Outdoor Service Area for a Special Event May 21, 2022 pending staff approval; Class C Liquor License, Sunday Service and updating ownership for Cobblestone Inn & Suites, 4222 S 22 nd Ave E.; Class C Liquor License, Outdoor Service, Sunday Sales for 6 months at Iowa Speedway, Levy Premium Foodservice, 333 Rusty Wallace Drive; Class E Liquor License, Class B Wine Permit, Class B Native Wine Permit, Class C Beer Permit, Sunday Sales, Casey’s General Store #2417, 1200 W 18 th St S.; Class B Beer Permit, Outdoor Service, Special Event June 10, American Legion Post 111, Inc, 200 N 2 nd Ave W., pending staff approval.
11. Designate May 16, 2022 as a public hearing for the 1st Budget Amendment for Fiscal year 2021-22.
12. Resolution levying assessments for costs of nuisance abatement and providing for the payment thereof (Schedule 22-04). (Council Report 22-131) |

13. Resolution approving purchase of two new waterslide pumps and a variable frequency drive (VFD) controller for the recirculation pump. (Council Report 22-132)
14. Resolution granting an easement to Interstate Power & Light Co. at 124 1st Ave E. (Council Report 22-133)
15. Resolution authorizing purchase of pre-season salt for snow and ice control. (Council Report 22-134)
16. Resolution ordering bids, approving plans, specifications, form of contract, notice to bidders, ordering clerk to publish notice, fixing a date for receiving same, for a public hearing on plans, specifications, form of contract and estimate of costs for the Union Dr. Reconstruction Project. (Council Report 22-135)
17. Resolution of support for Smila, Ukraine in the amount of \$2,000.00. (Council Report 22-136)
18. Approve Bills

Public Hearing

19. Public Hearing on a Resolution approving the purchase agreement for real property located at 1024 North 11th Avenue East, Newton, Jasper County, Iowa. (Council Report 22-137)
 - The Bentley Grove Greenhouse, LLC has offered \$5,000 to purchase the cleared D&D lot at 1024 North 11th Avenue East. No other offers were received.
 - It is proposed to combine the cleared lot with the existing adjacent greenhouse property and to construct a new retail building on the property.
20. Resolution approving the purchase agreement for real property located at 1024 North 11th Avenue East, Newton, Jasper County, Iowa. (Council Report 22-137)

Ordinances

21. Second Consideration of an Ordinance Amending the Code of Ordinances, City of Newton, Iowa, 2016, Title III, Chapter 32, Section 32.016, "Appointment and Term", to Change the Term Ending Date for Civil Service from the First Monday in April to December 31st. (Council Report 22-126)
 - Over the last few years staff has worked to migrate the term dates of all the various boards and commissions to December 31st in order to streamline the administrative duties associated with tracking term dates.
 - Approval of this Ordinance would adjust the term expiration dates within the City Code to December 31st of the respective term expiration years. Once the Ordinance has passed a Resolution will come to the Council that would bring the term expiration dates of all three current members in alignment.
22. Second Consideration of an Ordinance Amending the Code of Ordinances, City of Newton, Iowa, 2016, Title VII, Chapter 70, Section 70.15, "Traffic and Parking Schedules Adopted by Reference", to Make Changes to Street Parking Along East Thirty-First Street North, North Eleventh Avenue East and South Thirteenth Avenue East. (Council Report 22-127)

- In preparation for 2022 community events the Traffic Safety Committee reviewed parking on granular shoulders on several streets throughout the community.
 - Parking along granular shoulders during large events creates a traffic hazard due to higher posted speed limits, increased traffic volume and the presence of pedestrians.
 - The Traffic Safety Committee recommends restricting parking on both sides of the street in the 100-1800 blk. of E 31st St N, 1900-3000 blk. of N 11th Ave E and 1900-3000 blk. of S 13th Ave E.
23. First Consideration of an Ordinance amending the Code of Ordinances, City of Newton, Iowa, 2016, Title IX, Chapter 95: Cemeteries. (Council Report 22-138)
- In 2021, City staff worked with Bolton & Menk and the local Veteran’s groups to plat the new Veteran’s Block 3 (V-3) at Union Cemetery. This was needed to assure available burial spaces for Veterans after the existing V-1 and V-2 areas are full.
 - Staff recommends approval of this proposed revision updating language to reflect the recent platting of Veteran’s Block 3 (V-3) at Union Cemetery.
24. First Consideration of an Ordinance amending the Code of Ordinances, City of Newton, Iowa, 2016, Title VII, Chapter 70, Section 70.15, “Traffic and Parking Schedules Adopted by Reference”, to make changes to street parking in the 2100-2200 block of South Fifth Avenue East. (Council Report 22-139)
- The City received safety concerns regarding street parking in the 2100-2200 blk. of S 5th Ave E. This street is 26 feet wide and not wide enough to safely accommodate street parking during school pick up and drop off and allow free passage of emergency vehicles.
 - The Traffic Safety Committee recommends restricting parking on the north side of S 5th Ave E in the 2100-2200 block.
25. Resolution approving a new, revised agreement between the City of Newton and Project AWAKE. (Council Report 22-140)
- On October 17, 2017 City Council approved a three year agreement with Project AWAKE that addressed a number of items including snow plowing, booking of facility rentals, occasional grounds maintenance assistance, and providing points-of-contact for each party; with two subsequent updates having been approved in 2020 and 2021.
 - In early 2022 Project AWAKE added a staff member to handle daily office duties, thereby reducing the Project AWAKE office duties currently handled by the Community Services Department as spelled out in the proposed agreement. Staff revised the language and Project AWAKE’s board has reviewed and approved the language.
26. Resolution approving the 2022 revisions to the Cemetery Rules and Regulations for Union Cemetery and Memorial Park Cemetery. (Council Report 22-141)

Resolutions

- In 2018, staff prepared an updated set of cemetery rules and regulations covering both Union Cemetery and Memorial Park Cemetery which were approved by Resolution 2018-073.
- Since the rules were adopted in 2018, additional items or situations have come up that require a revision or clarification of an existing rule.
- In preparing these proposed revisions, staff sought the input of local funeral homes, monument companies, and Veteran’s groups several times throughout the process.

27. Resolution Approving the Special Events Policy and Application (Council Report 22-142)

- The City of Newton desires to have safe and engaging activities within the community.
- The City of Newton is committed to providing a safe environment for attendees and organizers of large events that limit the impact to transportation in the community.
- The City of Newton wants to keep citizens informed of events affecting their areas of residence or business.

28. Resolution Consenting to Assignment of Development Agreement (Council Report 22-143)

- Council approved a development agreement on January 17, 2022 with Hopkins Properties LLC for 1130 1st Avenue East, located within the 1st Avenue East Urban Renewal Area.
- Hopkins Properties, LLC has agreed to sell the property to Jasper Point Plaza, LLC and requested the rights and responsibilities of the agreement be assigned to the new owner.

Staff Report

29. Summer Reading Programs - Rebecca Klein, Public Services Librarian & Phyllis Peter, Youth Services Librarian

Mayor/Council Comments

30.

Adjourn

The City of Newton is pleased to provide reasonable accommodations, in compliance with the Americans with Disabilities Act, for those individuals or groups who require assistance to be able to participate in the public meeting. Should special accommodations be required, please contact the City Clerk’s Office at least 48 hours in advance of the meeting, at 641-792-2787 to arrange for accommodations to be provided.