

REGULAR CITY COUNCIL MEETING MINUTES  
SEPTEMBER 19, 2022, 6:00 P.M.  
CITY COUNCIL CHAMBERS

The City Council of Newton, Iowa met in regular session at 6:00 P.M. on the above date in the Council Chambers at 101 West 4<sup>th</sup> Street South. Acting Mayor Pro Tem Trotter presided. Present Council Members: Hallam, Dalton, Ervin, Trotter. Absent: George, Wade.

Acting Mayor Pro Tem Trotter asked everyone present to join in saying the Pledge of Allegiance.

Acting Mayor Pro Tem Trotter read a proclamation recognizing TV Host and Journalist Sara Haines

Sue Beukema, Administrator, Costumes and Treasurer, NCT Board of Directors, provided an update on the happenings at the Newton Community Theater (NCT).

There was no citizen participation.

Moved by Dalton, seconded by Ervin to approve consent agenda items 5-15.

5. August 29, 2022 City Council Workshop Minutes
6. September 06, 2022 Regular City Council Meeting Minutes
7. Approve Liquor License for the following: La Cabana Mexican Restaurant Inc. - LC0029523, 2617 1st Ave E, Suite 5&6, Class C Liquor License, Outdoor Service, and Sunday Sales.
8. Resolution levying assessments for costs of nuisance abatement and providing for the payment thereof (Schedule 22-09). Resolution 2022-256 adopted.
9. Resolution approving a Property Tax Rebate for the Lion Development Group, LLC Property Located Within the North Central Urban Renewal area. Resolution 2022-257 adopted.
10. 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 Water Pollution Control Treatment Plant and SW Pump Station Improvements Project. Resolution 2022-258 adopted.
11. Resolution approving the purchase of a pickup for Public Works Operations. Resolution 2022-259 adopted.
12. Resolution approving a Telecommunications Licensing Agreement with Aureon Network Services – First Interstate Bank. Resolution 2022-260 adopted.
13. Resolution approving a Telecommunications Licensing Agreement with Windstream Iowa Communications, LLC – 2022-3. Resolution 2022-261 adopted.
14. Resolution accepting completion of the City of Newton 2022 Roofing Project No. 1. Resolution 2022-262 adopted.
15. Approve Bills.

AYES: Four. NAYS: None. Consent Agenda was adopted.

Acting Mayor Pro Tem Trotter stated that this is the time and place for a Public Hearing on Resolution approving the preliminary plat of Stelpflug Addition, in the City of Newton, Jasper County, Iowa. There were no written comments. Cory Decker, 303 W 16<sup>th</sup> St N, inquired about a traffic study, the fill, the timeline, and the housing type. Community Development Director Erin Chambers indicated that there are currently 6 lots already platted. This is just a replat. Traffic Safety Committee will review parking when the first houses start coming up in order to see the driveways. Regarding fill, there will be regrading with a 40 ft wide drainage easement maintained so it doesn't negatively impact neighborhood. Once the grading is done the builder will come back to Council for a final Plat at which time lots can then be sold. Regarding housing types, developments don't typically have low-income housing assistance unless they are receiving funds from the government. Moved by Hallam, seconded by Dalton, to close the public hearing. AYES: Four. NAYS: None. The public hearing was closed. Moved by Ervin, seconded by Dalton to adopt the Resolution. AYES: Four. NAYS: None. Resolution 2022-263 adopted.

Acting Mayor Pro Tem Trotter stated that this is the time and place for a Public Hearing on an Ordinance amending the City of Newton Official Zoning Map for property located at 1500 1<sup>st</sup> AVE E. and 201 E. 15<sup>th</sup> St. N. from R-2: One- and Two-Family Residential to C-A: Arterial Commercial. Moved by Hallam, seconded by Ervin, to close the public hearing. AYES: Four. NAYS: None. The public hearing was closed. Moved by Dalton, seconded by Ervin to approve the First consideration of the ordinance. AYES: Four. NAYS: None. First Consideration of the Ordinance was approved.

Moved by Dalton, seconded by Hallam to adopt the Resolution expressing intent to enter into a development agreement and to provide economic development support to Ex Nihilo, LLC. AYES: Four. NAYS: None. Resolution 2022-264 adopted.

Moved by Hallam, seconded by Dalton to adopt the Resolution approving the purchase of one 2022 Ford Police Interceptor SUV from Stivers Ford. AYES: Four. NAYS: None. Resolution 2022-265 adopted.

Moved by Ervin, seconded by Hallam to adopt the Resolution approving the purchase and up-fit services for three 2023 Ford Police Interceptor SUVs and one 2023 Ford Transit Connect Van for \$200,000. AYES: Four. NAYS: None. Resolution 2022-266 adopted.

Lisa Frasier, Finance Officer provided a Finance Update.

During Mayor/Council Comments Ervin stating that there are many activities happening and get out to support everyone including the businesses, events, and School. It's a time to get involved. Dalton was impressed with the amount of students that have volunteered to help with events.

Moved by Ervin, seconded by Hallam at 7:00 p.m. 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 2021. AYES: Four. NAYS: None. Motion passed. There was a five-minute recess to clear the chambers.

Upon returning to Open Session, it was Moved by Hallam, seconded by Ervin to adjourn the meeting at 7.48 P.M. Motion unanimously carried by voice vote.

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Michael L. Hansen, Mayor

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Katrina Davis, City Clerk