

Agenda: Newton City Council

Regular Meeting: Agenda
January 3, 2017
6:00 pm

City Hall Council Chambers
101 West 4th Street South
Newton, Iowa 50208

- | | |
|------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Pledge | Pledge of Allegiance |
| Call to Order | 1. Roll Call |
| Presentations | 2. Retired and Senior Volunteer Program (RSVP)
3. YMCA
4. IMPACT
5. Newton Development Corporation
6. United Way of Jasper County
7. Heart of Iowa Regional Transit
8. Newton Main Street
9. Newton Housing Development Corporation |
| Citizen Participation | 10. 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. 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 | 11. December 19, 2016 Regular City Council Meeting Minutes
12. Approve Liquor License renewal: Class C Liquor License and Sunday Sales for Montana Mike's Steakhouse, 1400 W. 18 th St S.
13. Approve Civil Service List of Eligible Candidates for Police Officer Positions [Note: list to be provided following Civil Service Commission meeting on January 3 rd at 5:00 pm]
14. Resolution fixing the amounts to be assessed against individual private property for the abatement of nuisance violations (Schedule 17-1) (Council Report 17-1)
15. Resolution amending a Preliminary Development Agreement for a housing complex on property at 205 West 4 th Street North in the North Central Urban Renewal Area, City of Newton, Iowa (Council Report 17-2)
16. Resolution approving lease extension for property at 518 West 3 rd Street North in Newton (Council Report 17-3)
17. Approval of Bills |

Ordinances

18. Third Consideration of an Ordinance to amend various sections of the Code of Ordinances, City of Newton, Iowa, 2016, Title IX, Chapter 90, regarding “Animals”. (Council Report 16-272)
 - Over the past 3 years there have been numerous changes to the City’s animal ordinance in an effort to ensure a higher level of animal control and improve the overall safety of the community.
 - Staff recommends approval of the ordinance amendments to define standard of care for domestic animals, add a violation for animals left in vehicles. Revise the vicious and problematic dog requirements, hearing procedures and Animal Review Committee structure.
19. 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 lift special parking restrictions in the 700 block of E 4 ½ St S. (Council Report 16-281)
 - City staff received a request to lift the special parking restriction on E 4 ½ Street S from S 7th Avenue to S 8th Avenue. Due to parking lot expansion at the Newton High School, this roadway is no longer used for school parking. The Traffic Safety Committee assessed this area and recommends lifting the special parking restriction.
 - Staff recommends approval of the ordinance.
20. 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 the street parking in the 300 block of South Second Avenue East. (Council Report 16-282)
 - The Traffic Safety Committee reviewed parking in the 300 block of S 2nd Ave E and determined that with the wider street, parking could be allowed on one side of the street.
 - It is recommended that parking be added on the north side of the street in the 300 block of S 2nd Ave E.
21. 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 the street parking in the 2300 block of South Third Avenue East. (Council Report 16-283)
 - S 3rd Avenue E is a 31-foot wide street that currently allows parking on both sides in the 2300 block. The Church of the Way has requested that parallel street parking be restricted along the north curb of S 3rd Avenue E between E 23rd Street S and E 24th Street S.
 - Staff recommends restricting parallel curb parking along the north side of the 2300 block of S 3rd Avenue E
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 the street parking along portions of N 11th Avenue E. (Council Report 16-284)

- The Traffic Safety Committee reviewed parking on N 11th Ave E between E 8th St N and E 19th St N. Based on the street width of this collector street that serves as a truck route, parking should be allowed only on one side.
 - The current code allows parking on both sides of N 11th Ave E between E 8th Street and E 12th Street and restricts parking on both sides of N 11th Ave E from E 12th Street to E 19th Street. The parking restriction is currently not signed on the south side of the street.
 - The Traffic Safety Committee recommends to restrict parking on the north side of N 11th Ave E from E 8th St N to E 12th St N and to restrict parking on the south side from E 8th St N to 170 feet east of the east curb line of E 8th St N. The Traffic Safety Committee recommends allowing parking on the south side of N 11th Avenue from 80 feet east of the projected east curb line of E 14th St N to E 19th St N.
23. 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 Code Reference” by adding and removing stops signs along E 4th Street N.. (Council Report 16-285)
- The Traffic Safety Committee reviewed stop signs along E 4th St N. Based on traffic counts, the committee recommends that the intersection with N 4th Ave E be a 4-way stop and that the intersection with N 3rd Ave E be a 2-way stop. This would result in north-south traffic stopping at N 4th Ave E and not stopping at N 3rd Ave E.
 - It is recommended that stop signs be added on E 4th St N at N 4th Ave E.
 - It is recommended that the stop signs be removed on E 4th St N at N 3rd Ave E.
24. 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 Code Reference” by adding stops signs at various locations. (Council Report 16-286)
- As part of the Safe Community Goal, the traffic safety committee looked at the uncontrolled intersections located in an area bound on the west by 1st Street N, on the east and north by City limits and on the south by 1st Avenue E. There are a total of 15 uncontrolled intersections.
 - It is recommended that stops signs be added at the following uncontrolled intersections: E 5th St N at N 2nd Ave E - Replace the yield signs with stop signs for north and southbound traffic; E 6th St N at N 4th Ave E for southbound traffic; E 6th St N at N 9th Ave E for northbound and southbound traffic; E 6th St N at N 11th Ave E for northbound traffic; E 7th St N at N 11th Ave E for northbound traffic; E 9th St N at N 9th Ave E; E 9th St N at N 10th Ave E; E 10th St N at N 9th

Ave E; and E 10th St N at N 10th Ave E for northbound and southbound traffic; E 15th St N at N 6th Ave E for southbound traffic; E 17th St PI N at N 2nd Ave E for southbound traffic; E 17th St PI N at E 18th Street N for traffic on E 17th St PI N; E 21st St N at N 2nd Ave E for southbound traffic; E 24th St N at N 2nd Ave E for southbound traffic; E 25th St N at N 6th Ave E for northbound traffic.

25. Second Consideration of an Ordinance amending the City of Newton Code of Ordinances, Title IX, Chapter 94, Section 94.02(C)(4) Garbage, Trash and the like. (Council Report 16-287)

- The ordinance amendment adds language that the City may require the installation of a permanent trash enclosure at multi-family & commercial properties that have had repeated trash or garbage citations/abatement.
- Staff recommends approval of the ordinance.

Resolutions

26. Resolution awarding contract for the Demolition 2017-01 project (Council Report 17-4)

- Curb appeal continues to be a focus of the City, per the adopted Comprehensive Plan, Newton's Future. The City acquired 512 1st Ave E. and 917 1st Ave W. with the intent to demolish the structures on these properties through the Dangerous and Dilapidated Program. Staff has obtained bids for the demolition of the structures at these two properties.
- City Staff recommends awarding the demolition project to Lanphier Excavating, LLC, of Reasnor, Iowa, in the amount of \$28,988.00.

27. Resolution approving the replacement of the positions of Park Administration Superintendent, Parks Operations Superintendent, and Cemetery Superintendent with the positions of Parks Superintendent and a Parks Assistant Superintendent (Council Report 17-5)

- To improve the organization structure of the Parks Division there is a need for fewer supervisors and more front-line worker positions. With the recent retirement of one park superintendent and the impending retirement of another park superintendent, now is an opportune time to make organizational changes in the Parks Division.
- Currently the superintendent positions in the Parks Division are working supervisors where the superintendent spends considerable time working alongside the supervised worker. Changing three of the four superintendent positions to two superintendent positions at a higher pay range will provide a division that is managed by superintendents who spend more time directing work, scheduling projects, meeting recreational program needs and coordinating improvements in the parks.
- Staff recommends eliminating the positions of Park Administration Superintendent, Parks Operations Superintendent, and Cemetery Superintendent and creating positions of Park Superintendent and Parks Assistant Superintendent. This will align the Park Division with the other two Public Works Divisions.

New Business 28.

Old Business 29.

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.

www.NewtonGov.org

Request letter sent to external organizations:



December 8, 2016

#####, Executive Director
Requesting Organization
2334 Any Street
Any City, IA #####

Dear #####,

The City Staff has begun work on the 2017-2018 Annual Operating Budget for the City of Newton. I wanted to share with you some information on our schedule and some expectations for the coming year.

Organizations wishing to make a request for financial support from the City, will make their presentations to the City Council at the **January 3rd Council meeting**. In preparation for the meeting with the City Council, I would ask that you submit your request for funding to my office by close of business on Tuesday, December 27th.

It is requested as a part of your submission for funding you also provide a copy of your proposed budget for the fiscal year and a brief explanation as to how the funds are to be used.

We are pleased to support agencies that add value to the quality of life of our residents. But, as usual we can expect the 2017-2018 Annual Budget to be tight, necessitating careful review and consideration. We ask for your help and assistance in controlling costs and working with us to present a fair and workable budget for the community.

We look forward to receiving your information.

Best Regards

Jarrod Wellik
Interim City Administrator

Outside Funding Overview

Agency	City Funding in 2016-2017	Request for City Funding in 2017-2018
Newton Development Corporation (NDC)	\$75,000	\$75,000
Newton Housing Development Corporation (NHDC)	\$17,500	\$32,000 (Committed by Res. #16-170)
Newton Main Street	\$25,000	\$25,000
Heart of Iowa Regional Transit Agency (HIRTA)	\$20,000	\$22,000
Newton YMCA	\$18,000	\$25,000
Retired and Senior Volunteer Program (RSVP)	\$12,500	\$12,500
Impact	\$0	\$30,240
United Way of Jasper County	\$0	\$5,000



December 21, 2016

City Council Members and City Officials,

My name is Denice Fischer, Director of the Retired and Senior Volunteer Program (RSVP) in Jasper County. Since 1973, RSVP has been a strong contributor to our community. Our volunteers work throughout the community to provide our citizens with vital services. With your help, we have been able to impact and benefit citizens of all ages in Newton and Jasper County by utilizing the experience and wisdom of volunteers age 55 and above. We ask that you continue your support, by maintaining funding for fiscal year 2017-2018 in the amount of \$12,500.

RSVP provides volunteers for many programs essential to the Newton Community (please see attached explanation of all our programs). The three largest programs include: the HEART Literacy Program in our elementary schools, the Tax Assistance Program, and the Jasper County Ride Transportation Program. HEART volunteers currently work within all 5 Newton Elementary Schools, in addition to the Newton Christian School, to assist children with difficulties in literacy at no expense to the school district. It would cost the school district thousands of dollars annually to provide these same services. Last school year, our volunteers helped 154 students work toward improved academic performance in literacy!

Our Tax Assistance Program offers assistance to community members who cannot pay professional tax consultants and would have difficulty filing their own returns. Last year we served 619 clients with filing their tax returns. Our highest number yet! In addition to the Tax Assistance Program, RSVP of Jasper County continues to be listed as a Rent Reimbursement Assistance Site on the Iowa Department of Revenue website. Approximately 59 eligible clients have been helped over the past year to receive rent reimbursement returns that range in amounts from \$250-\$1,000.

The Jasper County Ride Program provides transportation for the elderly, low-income, disabled, and veterans to vital appointments (such as doctor visits and treatments for chronic disease). The Jasper County Ride Program continues to keep us busy. We generally schedule 15-20 rides per week. Many medical appointments are out of town and require hours of time from our volunteers. Due to this demand, we continue to need one week's notice on scheduled rides. Two years ago brought changes for this crucial program. With Skiff Medical Center's merge with Mercy, they were no longer able to completely cover the mileage reimbursement for the drivers like they had in the past. Skiff's mileage reimbursement support in 2013 ran \$23,073, in 2014 it ran \$22,838, and then dropped to \$1,200 the last two fiscal years. Mileage reimbursement has been provided to our drivers strictly to cover the expense of the rides (gas, maintenance of the volunteers' vehicles, etc.). Mileage reimbursement for the veteran rides has been provided over the last few years through the VA office. In the past, the Ride Program was in jeopardy. Fortunately for this program, other local funding streams stepped in to make up the difference in the lost funding from Skiff. We appreciate the support Skiff has given in the past and hope to continue this collaboration. We have been able to continue the program each year; however, continued local funding is needed to sustain the Ride Program for another year. We plan to ask for continued support from other various local funding streams as well.

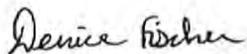
RSVP provides a great return on your investment dollars. During our 2015/2016 federal grant year, RSVP volunteers donated 6,144 hours to our community. Almost 800 more hours than the previous year! These hours have an approximate monetary value of \$136,704, and more importantly, have an immeasurable impact on the clients our volunteers serve. A few examples are, the changes to the life of the child who advances to a third-grade

reading level from a first-grade level as a result of one-on-one support given by a HEART volunteer, a local resident who is able to get to a medical appointment, or a low-income tax assistance client who is able to use the money they would have paid a tax preparer to pay other vital expenses.

Further, the RSVP program is invaluable to our volunteers. This program provides the means to use their skills and abilities to remain active and serve a vital role in our community. Research has shown that volunteers have a more optimistic outlook, increased energy, better perceived health, decreased feelings of loneliness and depression, and a stronger immune system ([The Healing Power of Doing Good](#) by Allen Luks and Peggy Payne).

I would like to thank you again for your support in the past and encourage you to continue that support by funding RSVP at the same level as the current year in the amount of \$12,500: \$10,000 will go in our general fund for the overall program and \$2,500 will be designated directly toward the Ride Program mileage reimbursement. Local funding is essential to the continuation of our program. Your investment ensures our federal funding remains in place since a non-federal match of 30% is required to keep our federal grant intact. Our program is a tremendous asset to the Newton Community, and we continually look for opportunities to expand RSVP to meet the changing needs of the community in 2017. RSVP provides a large return on investment and benefits senior citizens, children, the working class, low income families, and the community as a whole. Many of our citizens rely upon the programs provided by RSVP to remain healthy and financially stable. Please vote "yes" to continue funding this essential program.

Thank you,



Denice Fischer
RSVP Director

Newton/Jasper RSVP FY 2018 Budget - July 1, 2017 to June 30, 2018

Projected budget based on funding requests
(NOT CONFIRMED FUNDING- for any source)

	2018 Budget	2018 Actual	2018 Difference
Income			
City of Newton (July-June FY)	10,000.00	-	(10,000.00)
Jasper County Board of Supervisors (July-June FY)	2,500.00	-	(2,500.00)
Iowa Center for Economic Success- ICES (Jan-May funding)	9,485.00	-	(9,485.00)
Federal RSVP (June 1, 2017 to June 30, 2018)	23,753.00	-	(23,753.00)
State of Iowa (July-June FY)	7,467.97	-	(7,467.97)
United Way of Jasper County (April-March FY)	11,000.00	-	(11,000.00)
In-Kind Support from ISU Extension	6,410.00	-	(6,410.00)
Jasper County Ride Support: Mileage Reimbursement (\$18,700 Total)			
United Way of Jasper County (\$10,000)	10,000.00	-	(10,000.00)
Board of Supervisors (\$5,000)	5,000.00	-	(5,000.00)
City of Newton (\$2,500)	2,500.00	-	(2,500.00)
Skiff Medical Center (\$1,200)	1,200.00	-	(1,200.00)
Total Income	89,315.97	-	(89,315.97)
Expense			
Other Volunteer Costs			
CIMA Insurance	504.00	-	(504.00)
Recognition			
Luncheon	1,000.00	-	(1,000.00)
Thank you gifts	1,000.00	-	(1,000.00)
Other (Birthday and thank you cards)	200.00	-	(200.00)
Social Committee	800.00	-	(800.00)
Social Committee 2 (taxes)	1,600.00	-	(1,600.00)
Background Checks \$40 x 30 volunteers- (In-Kind from Extension)- \$100 per month	1,200.00	-	(1,200.00)
Criminal Background Check for Staff	75.00	-	(75.00)
Volunteer Travel	200.00	-	(200.00)
Jasper County Ride Mileage Reimbursement	18,700.00	-	(18,700.00)
Other Volunteer Support Costs			
Advertising			
Radio Ads	1,800.00	-	(1,800.00)
newspaper	150.00	-	(150.00)
flyers/posters	75.00	-	(75.00)
Marketing (Special Events: Senior Health & Fitness Fair, etc.)	250.00	-	(250.00)
Copies/Printing (In-Kind from Extension)- \$50 per month	600.00	-	(600.00)
Dues	325.00	-	(325.00)
Office Space (In-Kind from Extension)- \$255 per month	3,060.00	-	(3,060.00)
Phone (In-Kind from Extension)- \$41.67 per month	500.00	-	(500.00)
Postage (In-Kind from Extension)- \$87.50 per month	1,050.00	-	(1,050.00)
Staff Development			
Personnel Fringe Benefits			
FICA (7.65% of salaries)	3,389.00	-	(3,389.00)
IPERS (8.93% of salaries)	3,956.00	-	(3,956.00)
Project Personnel Expenses			
RSVP Director/Program Assistant (23,753 federal)	44,301.00	-	(44,301.00)
Project Staff Travel			
Local Travel	405.00	-	(405.00)
Long Distance Travel	1,000.00	-	(1,000.00)
Supplies			
Tax Supplies	500.00	-	(500.00)
Office Supplies	500.00	-	(500.00)
Software			
Volunteer Reporter	300.00	-	(300.00)
HEART			
Supplies/Kits	250.00	-	(250.00)
End of Year Parties	500.00	-	(500.00)
Rewards/Books	1,000.00	-	(1,000.00)
Training	50.00	-	(50.00)
Pen Pal			
Supplies: stationary, envelopes, and stickers	500.00	-	(500.00)
Total Expense	89,240.00	-	(89,240.00)
Net Income	75.97	-	(75.97)

Volunteer Opportunities

Community Priorities:

Volunteers assist local non-profits by providing clerical/administrative/ mailing support; volunteer in hospitals; serve as receptionists or greeters; act as guides at museums or historical societies; assist city and county departments, etc.

Companionship Program:

Volunteers visit elderly or disabled individuals who need companionship. Participants may be living independently or participate in services at Willowbrook or Newton Village.

Head Start:

Volunteers assist 3, 4, and 5 year olds in many capacities. Flexible schedule.

HEART (Help Engage A Reader Today):

A literacy program in which you meet weekly during the school year with students who need assistance in reading.

Jasper County Elderly Nutrition:

Volunteers assist in providing nutritious food to Jasper County's elderly.

Neal Smith Wildlife Refuge:

Volunteer at the preserve in Prairie City as a seed collector, work in the gift shop, guide school tours, help in the bookstore, maintain displays, etc.

Polk County Supplemental Foods:

Volunteers deliver food commodities once a month to clients in Jasper County.

Prescription Assistance:

Volunteer helps income eligible Jasper County residents receive free prescription medicine directly from the pharmaceutical companies.

Rent Reimbursement Assistance:

Volunteer assists eligible clients with the rent reimbursement claim form from the Iowa Department of Revenue.

Siren Reporters:

Various volunteers located throughout Newton listen to the warning siren tests on the first Wednesday of each month and report the status of warning sirens.

Tax Assistance Program:

Volunteers assist with income tax preparation for eligible low-income and elderly populations.

Transportation Program (Jasper County RIDE):

Volunteers provide transportation to and from vital appointments for community members who have no other means to get there.

Writing to Read:

A Pen Pal program in which volunteers correspond with elementary students. At the end of the school year, there is a Meet n' Greet between the volunteers and students.

RSVP

Lead With Experience

Impacting and benefiting citizens of all ages, in Jasper County, utilizing the experience and wisdom of individuals age 55 and above.

Jasper County RSVP:

Impact for Federal Grant Year 2016

- ⇒ **95** Active Volunteers
- ⇒ **6,144** hours of service to the community
- ⇒ Reading Assistance to **30 classrooms (Plus 6 Kindergarten Classrooms)** in 4 Newton elementary schools, Newton Christian School & Prairie City Elem. (2015/2016 School Year)
- ⇒ Tax Assistance provided to **619** clients and **1,154** returns prepared. Refunds to local residents totaling almost **\$841,377**
- ⇒ **59** low income clients received assistance with Rent Reimbursement in the amounts of **\$250-\$1,000**
- ⇒ **100** eligible residents taken to vital appointments such as the doctor, dentist, eye doctor, etc. (**713** rides)
- ⇒ **1,577** hours of additional assistance given to local non-profits in the 2016 federal grant year

Serving Jasper County since 1973
(641) 792-6433

Under the
Corporation for National & Community Services



December 20, 2016



\$136,704

City of Newton

Pay to
the order of:

One hundred thirty-six thousand, seven hundred and four dollars and .00/100

RSVP

Lead With Experience

6,144 hours of service

Jasper County RSVP Volunteers

Based on Independent Sector for Iowa value for volunteer hours



**FOR YOUTH DEVELOPMENT
FOR HEALTHY LIVING
FOR SOCIAL RESPONSIBILITY**

December 12, 2016

City of Newton
% Jarrod Wellik
101 W. 4th St. S.
Newton, Iowa 50208

Dear Mayor Hansen and Members of the City Council,

The cause of the Newton YMCA continues to be strengthening our community through youth development, healthy living, and social responsibility. We believe lasting personal and social change can only come about when we all work together to invest in our kids, our health, and our neighbors.

To assist us in our cause the Newton YMCA is submitting our annual request for city funding for the 2017-18 fiscal budget. We were blessed last year through city funding in the amount of \$18,000. It is our hope to receive additional funding this year which allows us to pursue even more programs that address our community needs. These YMCA "Signature" Programs will be in collaboration with other businesses and organizations, truly making our community stronger than ever. This year we are asking for \$25,000 to help cover a portion of the costs of these Signature Programs. These programs encompass Diabetes Prevention, Control of High Blood Pressure, and Cancer Support.

The Newton YMCA operates on an annual budget around \$1.7 million, and as one of Jasper County's largest non-profit organization. As financial assistance for membership and programs continues to grow, and operational costs exceed revenues from memberships and programs, additional funding from the City and elsewhere becomes more critical. Without this financial support many changes would be necessary here at the Y.

Listed below are just a few examples of the ways the Newton YMCA works at strengthening our community:

- Childcare – with more than 110 kids daily, we are now the community's largest daycare provider. In addition, we have over 30 kids in our "Before & After School" program. Many of these kids fall under DHS or need financial assistance. Regardless, we are committed to providing this community with affordable, safe, and nurturing care.
- Collaborations – the Newton YMCA works with several local entities to ensure the needs of our community are met. Along with serving on various clubs and organizations, we are often one of the first organizations sought out for a gathering place and volunteers.
 - Newton Community Schools – both high school boys and girls swim teams use the Y's pool for early morning and after school practices and competitive meets. Homeschooled students are also allowed to swim throughout the course of the day.

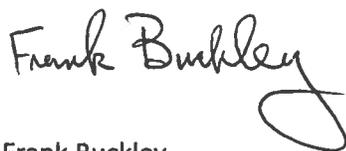
NEWTON YMCA
1701 S. Eighth Ave. E., Newton, Iowa 50208
641.792.4006
WWW.NEWTONYMCA.ORG

- Community Family & Senior Events – several “family-oriented” events are planned through the Y, including free movies at the Capitol II Theater, Festival at the Park, Easter Egg Hunt, and Healthy Kids Day. Seniors have the opportunity to participate in instructor-based fitness classes and a Health Fair in May. This specific event brings in local businesses and organizations within one location providing valuable learning information on how to improve their emotional, physical and even financial health.
- Child Watch – is a new program offered six days a week for young parents to bring their children in to be watched while they conduct their workout or attend a fitness class. This program has surged with more than 20 kids being supervised daily, at no cost to members and only \$2 for non-members.
- Safe & Social Environment for Youth – the number of school aged children coming directly from school to the Y is increasing. As parents continue to work outside of Newton more and more kids are coming to the Y as a place to socialize within a supervised environment.

The Newton YMCA is a wonderful amenity for Newton residents and the City of Newton’s continued support demonstrates a strong commitment to building and maintaining a dynamic vibrant community where people want to live. As we enter into the 2017 year, those of us here at the Newton YMCA look forward to the opportunities and challenges presented. TOGETHER we can make our community stronger than ever!

On behalf of the entire Newton YMCA, thank you for the previous years of support and this exciting upcoming year. Should you have questions please don’t hesitate to contact me at 641-792-4006 or email frank.buckley@newtonymca.org.

With Gratitude,

A handwritten signature in black ink that reads "Frank Buckley". The signature is written in a cursive style with a large, looping flourish at the end of the name.

Frank Buckley
Newton YMCA - CEO



City of Newton
1511 N 5th Ave W
Newton, IA 50028

December 14, 2016

Dear Mayor Mike Hansen,

IMPACT Community Action Partnership is a local organization that has been serving Jasper County low-income residents since 1964. IMPACT is working to eliminate poverty through empowering vulnerable populations, building collaborations and advocating for social change. It is our mission to provide coordination of services, access to programs and services, and meet the basic needs of those economically disadvantaged, elderly, victims of domestic violence or assault, and disabled individuals.

The coming year will continue to be problematic for our low-income households. Families in Newton struggle to cope with the rising cost of food, utilities, and housing. This problem is only compounded with increasing medical, transportation, and child care costs. Over 922 households in Newton received services from us – which are households that fall below the 175% Poverty Guideline. To meet those requirements, a family of 4 earned less than \$42,525 – or more drastically, a family of 1 earned less than \$20,790. Over 90% of the families we served which fall in this limited financial span of 150% Poverty, had some kind of income. However, this limited income was just simply not enough to make ends meet due to numerous situational and circumstantial barriers.

IMPACT helps relieve the financial burden of many basic needs. We offer programs that help families facing disconnection of utilities, emergency food shortages, and personal hygiene items. This past year, we also had funds to help with rent, transportation, and heating/cooling emergencies. This assistance helps create stronger families, which means a stronger community for all of us. Quite simply, we are unable to accomplish his mission without direct support from the community.

We are requesting a total of \$30,240, to help us continue this vital programming. This request is based on \$14 per person served in Newton for the past fiscal year. As a community-based program, we need your support.

Thank you again for your consideration of our request for continued support of IMPACT programs and services to the residents of Newton to meet their most basic needs.

Sincerely,

Patty Sneddon-Kisting
Jasper County Coordinator
psneddon@impactcap.org

IMPACT NEWS

IMPACT Community Action Partnership Newsletter—Jasper County

March 2016

The Many Faces of Poverty

What is Poverty? Poverty is the condition where an individual's basic needs of food, clothing, and shelter are not being met. Poverty is an all-encompassing problem, that can affect anybody and everybody at any given point in life/time: Our grand-parents, parents, neighbors, friends, coworkers, children and so on. Poverty can take shape in several different ways and can have a lasting impact on families. The effects of poverty are usually interrelated or often times tied to a lot of different things. Since these effects hardly ever occur alone, poverty is a much bigger problem that can not be assessed by merely one indicator: race, location, disability, age, gender, household makeup - or a variety of assumptions. The barriers poverty causes in our lives can also come in a variety of ways; access to food and running water, quality health care, inadequate nutrition, reliable transportation, no emergency savings and job loss. Clearly, when all these effects are happening, the impact is severe on our most vulnerable populations – elderly and children. Children, who have the least choice and ability to change what happens to them.



Maslow's Hierarchy of Needs chart shown above is a great representation in talking about poverty. The chart asserts that our needs can be seen in levels and the base needs must be met before there is any motivation to pursue higher needs and desires. Poverty is a perfect demonstration of how needs can go unmet, disallowing one's personal ascension up the hierarchy. When the needs of food, water and shelter are unfulfilled, it is nearly impossible for our families to thrive.

At IMPACT we are addressing these issues surrounding poverty by providing vital programs and service to Jasper County residents. These programs bridge the gap and give individuals the ability to have life-saving assistance. Without this stability, there is no way to move forward on the path to self-sufficiency or any level of quality of life.



In This Issue

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- Meet the Director/ Collaboration Corner
- Thank you
- Community Food Program

Meet The Director



Anne Bacon
Executive Director

Anne Bacon began her work as executive director of Red Rock Area Community Action Agency in May of 2015. Soon after, the agency merged with Des Moines Community Action Agency to form IMPACT Community Action Partnership.

Anne is a passionate social justice advocate with keen focus on the issues of poverty. She received her Bachelors of Social Work from the University of Iowa and a Masters of Public Administration from Drake University. She has completed over 30 credit hours in Community and Economic Development at Pennsylvania State University.

Her professional experience includes work within the Community Action network, the Iowa Annual Conference of the United Methodist Church and Bidwell Riverside Center.

Anne and her family make their home in Ankeny Iowa.

"I can't believe this happened, our family needed this so much"

- Jasper Client

"This program allowed my kids to participate in activities I wouldn't have been able to afford"

- Jasper Client

THANK YOU!

Our organization relies greatly on support from the community. It is through these contributions that we are able to provide our services to the families here in Jasper County

Thank you to the City of Monroe for their donation to our programs and services.

Service Legends for their warm hearts program.

First Presbyterian Church for their gift to local services.

Black Hills Energy for their employee contribution fund.

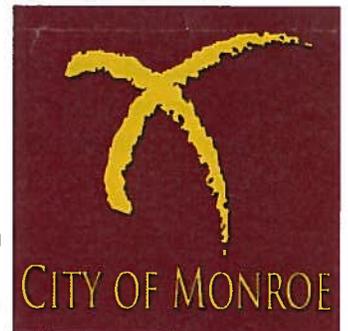
If you or your organization would like to support/donate please contact our office!

Collaboration Corner

Over the last three months staff at IMPACT have been able to partner with Prairie City, Colfax and Baxter libraries as mobile processing sites. We know that not everyone has the means to make it to Newton and through these collaboration many families and individuals have been able to receive the assistance they need in the comfort of their own city.

A big thank you to a collaboration with Service Legends and the Warm Your Heart Foundation. The purpose of the Warm Your Heart Foundation is to make a positive impact in the community by

installing furnaces in homes for free for families that do not have the means to hire a company to do so. Through this partnership we were able to secure a brand new furnace for a family in Jasper County.



Local Food Pantries

- Salvation Army
641-792-6131
- Grace Church of Newton
641-792-1793
- PCM Food Pantry
641-259-2657
- Colfax Mingo Area Food Pantry
515-674-4335
- Monroe-Reasnor Food Pantry
641-259-3238



Community Food Program

We need your help

Food insecurity has many implications that affect the families of Jasper County. Food insecurity is directly linked to the emotional and overall well-being of both youth and adults. In addition, food insecurity is a contributing factor to the increase of childhood obesity. Currently, in Jasper County there are over 5,000 individuals that are food insecure which puts us at 13.7% of the total population. These numbers, on average are higher than the statewide numbers which sits at 12.7% of total population.

Our Community Food program is a local program offered to low-income families of Jasper County. Through this program families who apply can receive food vouchers to assist them in buying staple nutritious items such as: milk, eggs, vegetables, fruits, meats, and basic healthy items.

In the last year IMPACT has been able to assist families with over \$2,000 in food vouchers, however the number of families is growing. In the past we have only been able to assist families on a one time per year basis. It is our hope— with your help, to start helping families on an every 60 day basis. In fact, IMPACT has assisted with over \$2,250 in the last 6 weeks alone.

By providing families with the opportunity to the Feeding the Community program we are helping to cultivate and create healthier eating habits with access to nutritious food without financial stress.

Estimated Number and Percentage of Food Insecure Individuals		
	Jasper County	Statewide
Individuals who are food insecure		
Number of persons	5,050	389,730
% of total population	13.7%	12.7%
Food Insecure individuals with incomes <=185% of poverty		
Number of persons	2,778	234,618
% of total population	7.5%	7.6%
Food insecure individuals with incomes >=185% of poverty		
Number of persons	2,273	155,113
% of total population	6.2%	5.0%

Programs & Services

- LIHEAP
- Emergency Assistance
 - Water Coupons
 - Cooling
 - Food Vouchers
- Financial/Energy Wise
 - RAYS
- Embrace Iowa

Contact Us

IMPACT Community
Action Partnership

Jasper County
115 N 2nd Ave E
Newton, Ia 50208

641-792-3008

Administrative Offices
3226 University Ave
Des Moines, Ia 50311

515-274-1334

IMPACT Community Action Partnership—Jasper County



JASPER COUNTY OFFICE
115 N. 2ND AVE. E.
NEWTON, IA 50208

PLACE
STAMP
HERE

December 21, 2016

Mr. Jarrod Wellik, Acting City Administrator
City of Newton
101 West 4th Street South
Newton, IA. 50208

Dear Jarrod,

On behalf of the board of directors of the Newton Development Corporation I'm pleased to submit a request for funding, our 2017 budget, intended uses and a brief summary of 2016 highlights along with projects we will be working on in 2017.

2016 Highlights:

- Perhaps the biggest is DMACC being gifted the entire former Maytag Corporate Campus. NDC and the City will work with DMACC to bring this campus "alive" again.
- Phoenix Investors, (owners of the former Maytag Plant Two) continues to make significant investment in refurbishing the plant. Comparing the areas finished to those sections they continue work on is like "night and day." Phoenix estimates they still have about a years' worth of work to do, but in the meantime we continue to work with them on leasing space in this 1.8 million square foot facility. Currently 7 companies are leasing space at this facility.
- NDC led the effort to bring the Junior Achievement Program back to the Newton Schools and we are looking to expand that in the 2017 school year.
- We assisted in getting new owners for the former Newton Manufacturing Warehouse that now has 4 businesses leasing space in this 38,000 square foot facility.

2017 Projects:

- Continue to work with Graphic Packaging on their announced expansion.
- Continue to work with NHDC, the City of Newton, on housing. The finished and projected numbers of new housing starts in the last 18 months and looking ahead to the next 18 months are greater than the last 10 years combined.
- Continue to work with other stakeholders, Main Street, Chamber of Commerce, Implementing Newton's Future, the City and others on several projects to already on the table. These projects, once completed will have everyone take notice!

- As mentioned earlier much of our focus will be on working with DMACC, the City and others on redeveloping and filling space at the former corporate campus, as well as future planning on how we can tie the corporate campus, the DMACC campus, the greenspace and downtown together. It's a daunting task, but it can be done.

I have much more to talk about, but I need to be brief. I submitted to the acting City Administrator our proposed budget for 2017. NDC is requesting \$75,000 this year, the same as last year. We continue to supplement our budget by raising money from the private sector. In 2016 we raised \$82,925.

In closing, I want to thank not only our investors, but also the Newton Development Corporation officers and board members not only for their financial contributions but also for their time in volunteering to serve on the board and numerous committees. Without their time and commitment we couldn't do what we do, and also NDC thanks the City for their continued financial support and trust in NDC.

Thank-you and we look forward to a busy and hopefully prosperous new year!

Sincerely,



Frank Liebl
Executive Director

NDC 2017 Proposed.xls

	NDC 2017 PROPOSED BUDGET	IRP 2017 PROPOSED BUDGET	COMBINED 2017 FINAL BUDGET
Revenues			
Land & Building Rental/Sale	\$ 2,100		\$ 2,100
Hotel/Motel Tax	\$ 75,000		\$ 75,000
Pledges	\$ 65,000		\$ 65,000
Pledges Additional	\$ 20,000		\$ 20,000
Interest Income	\$ 100		\$ - 100
Grant Income	\$ -		\$ -
Misc. Income + Reimbursement	\$ -		
Memorials	\$ -		\$ -
Business Dev. Comm. Income	\$ 1,500		\$ 1,500
IRP Int Inc. Okoboji Grill	\$ -	\$ 2,401	\$ 2,401
IRP Int Inc. McKCO		\$ 2,725	\$ 2,725
IRP Int Inc. Patriot Converting	\$ -	\$ 3,202	\$ 3,202
IRP Int Inc. Josh Loftus	\$ -	\$ -	\$ -
IRP Int Inc. Avalanche Composites	\$ -		\$ -
IRP Application Fee Income	\$ -	\$ 750	\$ 750
IRP Int Income/Dividend	\$ -	\$ 100	\$ 100
Total Revenues	\$ 163,700	\$ 9,178	\$ 172,878

NDC 2017 Proposed.xls

	NDC 2017 PROPOSED BUDGET	IRP 2017 PROPOSED BUDGET	COMBINED 2017 FINAL BUDGET
Expenses			
Grants/Contributions			\$ -
Memorials Expenses			\$ -
Cost of Land/Buildings			\$ -
Building/Land closing costs			\$ -
Abstracting			\$ -
Real Estate Taxes G/L55400	\$ 3,000		\$ 3,000
Property Liability Insurance	\$ 2,200		\$ 2,200
Directors & Officers Insurance	\$ 1,100		\$ 1,100
Office Equipment	\$ 500		\$ 500
Internet Expense	\$ 1,000		\$ 1,000
Business Dev. Comm. Expense	\$ 3,000		\$ 3,000
Salary Expense	\$ 104,000		\$ 104,000
Workers Compensation	\$ 875		\$ 875
Repairs & Maintenance			\$ -
Payroll Tax Expense	\$ 8,200		\$ 8,200
Employee Insurance			\$ -
Telephone Expense	\$ 3,350		\$ 3,350
Education & Training			\$ -
Office Supplies	\$ 1,500		\$ 1,500
Postage and Shipping Expense	\$ 100		\$ 100
Dues/Subscriptions	\$ 1,000		\$ 1,000
Building & Rental Expense	\$ 4,500		\$ 4,500
Advertising			\$ -
Local Marketing	\$ 7,500		\$ 7,500
Regional Marketing	\$ 7,500		\$ 7,500
Audit/Accounting Fees G/L 67000	\$ 3,950		\$ 3,950
Legal Fees	\$ 500		\$ 500
Exec. Travel/Expense	\$ 1,500		\$ 1,500
Meetings Expense	\$ 2,000		\$ 2,000
Property Maintenance	\$ 1,500		\$ 1,500
Bank Charges			\$ -
Interest Expense			\$ -
Miscellaneous Expense			\$ -
Junior Achievement	\$ 2,500		\$ 2,500

NDC 2017 Proposed.xls

	NDC 2017 PROPOSED BUDGET	IRP 2017 PROPOSED BUDGET	COMBINED 2017 FINAL BUDGET
IRP Interest Expense		\$ 2,200	\$ 2,200
IRP Application Fee Expenses			\$ -
IRP Legal Expenses		\$ 500	\$ 500
IRP Audit Fee - G/L 67000-IRP		\$ 3,950	\$ 3,950
IRP Recording Fees		\$ 500	\$ 500
Bad Debt Expense		\$ -	\$ -
Total Expenses	\$ 161,275	\$ 7,150	\$ 168,425
Net Income	\$ 2,425	\$ 2,028	\$ 4,453



United Way of Jasper County

Dec. 27, 2016

Dear Mr. Wellik, Mr. Hansen, members of the City Council and Mr. Friedman,
I'm writing a request for \$5,000 in funding from the City of Newton to help support the work of the United Way of Jasper County. As a non-profit agency working to help ensure funding is available to organizations serving Jasper County residents, the United Way relies on donations from corporations, businesses, and individuals. As more need arises for assistance for food, housing, utilities, medical care, and other health and human services, the United Way of Jasper County is seeking additional avenues to help fund our work.

By supporting United Way of Jasper County, you are in turn supporting dozens of programs serving more than 12,000 Jasper County residents annually - the majority of which call Newton home. The need for these funds to support these services is real and is growing. The United Way receives daily phone calls for assistance including one I just received while typing this letter from a family trying to assist a loved one who was the victim of a brutal domestic violence assault. The City's financial support is imperative to being able to serve those in need and stabilize lives in our community.

Some may ask why support the United Way of Jasper County rather than funding agencies directly? The United Way conducts an extensive grant application process, and provides oversight for the use of the allocated dollars that the City simply does not have staff or time to do. I have enclosed copies of the grant applications and other supporting documentation to help you in your decision-making process.

Please know the investment of city funds for 2017-18 fiscal year will help ensure thousands of Newton residents will receive the hand up they need to stabilize their lives. United Way funded programs will benefit the community as a whole by helping individuals enter or remain in the work force, receive vital medical care and counseling, prevent homelessness with mortgage and rent assistance, provide advocates to help victims of rising numbers of domestic and sexual assaults, or make certain children and families have enough to eat.

Together, we truly can make a difference and improve lives for all who call Jasper County home. Thank you for your time and consideration. Please contact me with any questions at (641) 792-1684 or by email at unitedwayjc@gmail.com.

Sincerely,
Jessica Lowe, Executive Director
United Way of Jasper County

LIVE UNITED

United Way programs open eyes to needs, challenges facing Jasper County citizens

Two years ago when I started at the United Way, I thought I understood the depth of the challenges and needs facing Jasper County citizens. I volunteered, I kept up on local news, I worked for a non-profit, I was involved. With these experiences, I was heading into my position with eyes wide open. Or at least I thought so.

Then there was the first time I got a call from a woman because she along with her husband and their three children had no place to go because they couldn't get into a shelter. In that moment my eyes were opened to the fact that circumstances arise that can take a good family and put them in a bad situation.

Or there was the time last fall when a woman came into the office in a state of panic. Her boyfriend had strangled her and there were red marks still visible around her neck. It was then my eyes were opened to just how real and terrifying domestic abuse is.

One day while running errands for work I drove by one of Jasper County's food banks. I was dismayed seeing a bread line forming around the block. I thought that was something out of the 1930s. In that moment my eyes were opened to the fact that in 2016 people still don't have enough to eat.

A woman came into the office looking for help because she needed a winter coat as the Iowa weather turned cold. She had moved away from a dangerous situation and was relocating to Jasper County. The woman shared she was looking for a job but it was challenging because she was living in her car. My eyes were opened to basic needs not being met.

And when a child not even old enough for school was being interviewed by advocates about a sexual assault that occurred to the child, my eyes were opened and filled with tears knowing this child's life was changed forever.



Jessica Lowe
UWJC Executive Director

I've seen more in the last two years than in my previous three decades. At times the realization that so many bad things are happening in Jasper County can be overwhelming. But just as the reality of these challenges has opened my eyes, so too has the generosity of the people who call Monroe, Baxter, Colfax, Newton, Lynnville and all of Jasper County home.

Thanks to your support, I see daily the positive impact that United Way-funded programs are having on lives right here in Jasper County.

From filling food bank

shelves to offering treatment to those with an addiction, assisting children through literacy programs in schools to keeping the heat on in winter, ensuring cancer patients can get to their chemo appointments to offering grief counseling when a loved one is lost, these programs are there when people need help the most.

Last year, United Way of Jasper County-funded programming had more than 134,000 service contacts to 12,948 Jasper County residents. That is nearly one-third of the county's population receiving services made available thanks in part to those supporting UWJC.

As we kickoff the 2017 campaign, I hope you will choose to be a community hero and stand with United Way of Jasper County as we work to fund valuable, life-changing programs. And I want to thank you for your support and opening my eyes to not what is wrong with the world, but what is right.



United Way
of Jasper County

CONTACT US:

United Way of Jasper County
312 First Ave. W.
Newton, IA 50208
Phone: (641) 792-1684

E-mail: unitedwayjc@gmail.com

Web: unitedwayofjaspercounty.org

CONNECT WITH US:



facebook.com/United-WayofJasperCounty/



[@UnitedWayJasper](https://twitter.com/UnitedWayJasper)



Heart of Iowa Regional Transit Agency

HIRTA Public Transit

Boone • Dallas • Jasper • Madison • Marion • Story • Warren Counties

December 27, 2016

Newton City Council
Attn: Michael L. Hansen
101 West 4th Street South
Newton, Iowa 50208

Dear Mayor Hansen:

We thank you for the City's continued support of HIRTA Public Transit, allowing us to continue providing and growing transit services in the City of Newton.

Along with our daytime weekday hours, HIRTA plans to continue our longer operating hours, providing service until 10pm Mon-Fri, as well as, our weekend services. The longer hours have proven to be needed in the City to get people to jobs, medical appointments and shopping.

In order to continue to provide the low cost (\$2.00 per trip) fare, we need the City's continued financial assistance.

We respectfully request financial assistance for FY18, in the amount of \$22,000

Thank you for your consideration of this request and for all past support you have given to HIRTA.

Sincerely,

Julia Castillo

Julia Castillo
Executive Director

toll free: 1-877-686-0029 fax: 515-777-2745
2824 104th Street Urbandale, IA 50322
www.ridehirta.com



	FY2017	
	Current Jul '15 - Mar 16	BUDGET Jul 16- Jun 17
Ordinary Income/Expense		
Income		
40000 · FTA		
40010 · FTA - Admin	53,415.00	50,000.00
40030 · FTA - Jasper	111,807.00	132,000.00
40060 · FTA - Marion	92,909.25	103,000.00
40070 · FTA - Story	175,327.47	180,000.00
40072 · Mobility Coordinator Grant	1,215.00	43,000.00
40080 · FTA - Warren	86,696.28	102,500.00
Total 40000 · FTA	521,370.00	610,500.00
40100 · STA Grant		
40110 · STA Grant - Admin	230,245.63	291,000.00
40130 · STA Grant - Jasper	38,232.00	52,300.00
40160 · STA Grant - Marion	27,189.00	39,200.00
40170 · STA Grant - Story	70,227.00	71,800.00
40180 · STA Grant - Warren	28,242.00	40,200.00
Total 40100 · STA Grant	394,135.63	494,500.00
40250 · Other Revenue		
40210 · Donations	13.94	100.00
40211 · Grant Income	7,380.00	5,000.00
40212 · IPERS credits	144.74	200.00
40230 · Jasper County	27,367.15	32,785.00
40243 · City of Newton - Jasper	20,000.00	20,000.00
40264 · Marion County	36,856.25	36,000.00
40284 · Warren County	26,250.00	35,000.00
40250 · Other Revenue - Other	0.00	0.00
Total 40250 · Other Revenue	118,012.08	129,085.00
40300 · Passenger Revenue		
40332 · Passenger Rev - Jasper	24,678.85	32,000.00
40360 · Passenger Revenue - Marion	12,025.24	16,000.00
40372 · Passenger Revenue - Story	31,610.70	42,000.00
40380 · Passenger Revenue - Warren	18,061.65	24,000.00
Total 40300 · Passenger Revenue	86,376.44	114,000.00
40500 · Advertising Income		
40530 · Advertising Income - Jasper	3,025.00	4,000.00
40560 · Advertising Income - Marion	2,856.00	3,800.00
40570 · Advertising Income - Story	3,675.00	4,900.00
40580 · Advertising Income - Warren	562.50	1,000.00
Total 40500 · Advertising Income	10,118.50	13,700.00
40800 · Fellowship and Training Income		
40800 · Fellowship and Training Income - Oth	20,946.00	20,000.00
Total 40800 · Fellowship and Training Income	20,946.00	20,000.00
41000 · Contract Revenue		
40233 · Waiver Programs-Jasper	262,560.61	350,000.00
41102 · NEMT - Jasper	16,212.00	22,000.00
41103 · Federal 3B - Jasper	26,070.99	34,700.00
40260 · Waivers Programs - Marion	107,297.31	143,000.00
41201 · NEMT - Marion	3,307.00	4,400.00
41202 · Federal 3B - Marion	30,368.50	40,000.00
41301 · Dial A Ride - Story	142,291.58	190,000.00
41302 · Federal 3B - Story	29,471.57	40,000.00
41303 · Foster Grandparent - Story	788.00	1,000.00
40273 · Waiver Programs -Story	254,082.20	340,000.00
41304 · NEMT - Story	11,051.00	15,000.00
41305 · City of Ames - Story	33,680.18	40,133.00
41307 · United Way of Story County	10,884.50	12,846.00
41308 · ASSET - Story	83,664.98	112,000.00
40285 · Waiver Programs - Warren	238,837.60	318,000.00
41403 · NEMT - Warren	1,783.00	1,600.00
41404 · Federal 3B - Warren	21,943.52	30,000.00
41405 · 4R Kids-Warren	484.00	500.00

	FY2017	
	Current Jul '15 - Mar 16	BUDGET Jul 16- Jun 17
Total 50200 · Pay 50313 · Life, Disability - Admin	734.48	900.00
50300 · Employee 50332 · Life, Disability - Jasper	348.91	400.00
50333 · Health Insurance - Jasper	7,100.61	8,000.00
50334 · Dental Insurance - Jasper	1,492.56	1,500.00
50350 · Life, Disability - Marion	110.25	300.00
50351 · Health Insurance - Marion	8,840.37	23,076.00
50352 · Dental Insurance - Marion	186.96	300.00
50370 · Life, Disability - Story	759.79	900.00
50371 · Health Insurance - Story	23,509.75	25,000.00
50372 · Dental Insurance - Story	1,054.24	1,200.00
50380 · Life, Disability - Warren	202.46	300.00
50381 · Health Insurance - Warren	7,302.90	10,000.00
50382 · Dental Insurance - Warren	371.55	400.00
50390 · Life, Disability - Mobility	177.00	250.00
50391 · Health Insurance - Mobility	4,286.70	5,000.00
50392 · Dental Insurance - Mobility	227.40	300.00
50300 · Employee Benefits - Other	1,405.40	0.00
	89,859.41	110,926.00
50410 · CPA	3,785.00	5,000.00
50411 · IT	12,216.24	17,000.00
50412 · Legal	1,774.00	2,500.00
50414 · Audit	9,000.00	11,000.00
Total 50300 · Em 50415 · Cleaning Service - Admin	1,681.00	2,300.00
50400 · Professional 50416 · RouteMatch - Support	1,161.00	5,000.00
50417 · RouteMatch - Hosting	5,091.68	7,000.00
50470 · Cleaning Services - Story	1,795.85	2,400.00
	36,504.77	52,200.00
50510 · Office Supplies - Admin	7,329.54	10,000.00
50511 · Postage & Freight - Admin	835.48	1,200.00
50512 · Cleaning supplies-Admin	405.48	500.00
50530 · Cleaning Supplies - Jasper	220.36	300.00
Total 50400 · Professional 50531 · Office Supplies - Jasper	961.77	1,000.00
50500 · Office Supplies 50532 · Postage & Freight - Jasper	60.00	100.00
50560 · Postage & Freight - Marion	60.00	100.00
50562 · Office Supplies - Marion	325.96	400.00
50570 · Office Supplies - Story	946.95	1,300.00
50571 · Postage & Freight - Story	60.00	100.00
50572 · Cleaning supplies-Story	738.78	1,000.00
50580 · Office Supplies - Warren	139.81	200.00
50581 · Postage & Freight - Warren	60.00	100.00
50500 · Office Supplies - Other		
	12,144.13	16,300.00
50610 · Phone/Internet - Admin	3,828.88	5,200.00
50630 · Phone/Internet - Jasper	7,130.26	9,500.00
50650 · Phone/Internet - Mobility Mgr	1,007.30	1,300.00
50661 · Phone/Internet - Marion	5,488.86	7,300.00
Total 50500 · Office 50670 · Phone/Internet - Story	9,454.35	12,500.00
50600 · Telephone 50680 · Phone/Internet - Warren	5,225.64	7,000.00
50600 · Telephone - Other		
	32,135.29	42,800.00
50712 · Fellowship - RTAP Approved Exp	11,086.89	15,000.00
50710 · Fellowship / Training Expense - Other		
	11,086.89	16,000.00
Total 50600 · Telephone 50810 · WC Insurance - Admin	16,237.49	25,000.00
50710 · Fellowship 50830 · WC Insurance - Jasper	36,499.50	50,000.00
50860 · WC Insurance - Marion	29,468.62	40,000.00

	Current Jul '15 - Mar 16	FY2017 BUDGET Jul 16- Jun 17
50870 · WC Insurance - Story	38,566.42	55,000.00
Total 50710 · Fel 50880 · WC Insurance - Warren	31,122.96	42,000.00
	151,894.99	212,000.00
50910 · Membership Dues - Admin	4,678.08	2,500.00
50930 · Membership Dues - Jasper	311.08	1,075.00
50950 · Membership Dues - Mobility Mgr	16.09	100.00
50960 · Membership Dues - Marion	16.08	875.00
Total 50800 · Ins 50970 · Membership Dues - Story	226.75	1,075.00
50900 · Organiza 50980 · Membership Dues - Warren	0.00	875.00
	5,248.08	6,500.00
Company Picnic		2,000.00
51101 · Background Checks-Admin	51.89	100.00
51110 · Training - Admin	553.22	700.00
51111 · Medical Testing - Admin	48.50	100.00
Total 50900 · Org 51130 · Training Expense - Jasper	318.48	500.00
51100 · Employee 51131 · Medical Testing - Jasper	1,756.85	2,500.00
51132 · Background Checks -Jasper	50.00	100.00
51150 · Training Expense - Mobility Mgr	867.50	2,000.00
51162 · Medical Testing - Marion	606.45	800.00
51163 · Training Expense - Marion	0.00	500.00
51164 · Background Checks - Marion	68.20	100.00
51170 · Medical Testing - Story	2,879.00	4,000.00
51171 · Training Expense - Story	23.22	100.00
51179 · Background Checks - Story	74.89	200.00
51182 · Medical Testing - Warren	2,028.75	2,000.00
51183 · Background Checks - Warren	90.38	100.00
51190 · Driver Uniforms/Work Bag items	7,840.02	3,000.00
51191 · Training Expense - Warren	202.41	300.00
51100 · Employee Expenses - Other		
	17,459.76	19,100.00
51210 · Advertising - Admin	913.78	1,000.00
51211 · Employment Ads - Admin	57.94	100.00
51212 · Minutes/Public Hearing Notices	45.60	200.00
51230 · Advertising - Jasper	1,792.06	2,500.00
Total 51100 · Em 51231 · Employment Ads - Japer	92.00	100.00
51200 · Advertisi 51250 · Adv/Market/Print - Mobility Mgr	0.00	1,200.00
51260 · Advertising - Marion	1,304.07	2,000.00
51270 · Advertising - Story	724.00	1,200.00
51280 · Advertising - Warren	125.50	200.00
51281 · Employment Ads - Warren	266.26	400.00
	5,321.21	8,900.00
51301 · Rent - Admin	29,657.88	39,380.52
51330 · Rent - Jasper	3,409.00	5,844.00
51360 · Rent - Marion	0.00	0.00
51370 · Rent - Story	19,387.00	24,150.00
Total 51200 · Adv 51390 · Rent - Mobility Coord	3,677.98	3,000.00
51300 · Rent	56,131.86	72,374.52
	200.86	300.00
	16.00	0.00
		15,990.00
		9,000.00
		7,000.00
		23,000.00
51600 · Bank Charges		225.00
51700 · Bad Deb 51810 · Office Equipment - Admin	11,503.97	15,000.00
51800 · Office Ec 51811 · Office Eq Maint/Repairs - Admin	590.96	800.00

\$15,990 NexLog Phon software
\$9,000 Alerts module
\$7,000 Ruan Mainten
\$23,000 Server (Repl
old/need higher effici
storage)

	FY2017	
	Current Jul '15 - Mar 16	BUDGET Jul 16- Jun 17
51830 · Office Equipment - Jasper	608.91	800.00
51831 · Office Eq Maint/Repairs -Jasper	211.60	300.00
51850 · Office Equip - Mobility Mgr	157.63	300.00
51860 · Office Equipment - Marion	608.92	800.00
51861 · Office Eq Maint/Repairs - Mario	58.01	800.00
51870 · Office Eq Maint/Repairs - Story	2,226.04	3,000.00
51871 · Office Equipment - Story	668.72	900.00
51880 · Office Eq Maint/Repairs - Warre	73.53	800.00
51881 · Office Equipment - Warren	608.91	800.00
	17,317.20	79,515.00
51910 · Subscriptions - Admin	0.00	0.00
51930 · Subscriptions - Jasper	0.00	0.00
51970 · Subscriptions - Story	0.00	0.00
	0.00	0.00
Total 51800 · Office Equipment		
51900 · Subscrip		
52009 · Travel expense-Admin	5,854.13	6,000.00
52010 · Meeting Exp - Admin	2,051.50	3,000.00
52011 · Mileage Reimbursement - Admin	2,369.60	4,500.00
52030 · Meeting Exp - Jasper	96.25	100.00
Total 51900 · Sul		
52031 · Mileage Reimbursement - Jasper	146.28	200.00
52000 · Meeting		
52050 · Mileage Reimb - Mobility Coord	2,228.15	3,000.00
52051 · Meeting Expense -Mobility Coord	0.00	100.00
52070 · Meeting Expense - Story	145.01	200.00
52071 · Mileage Reimbursement - Story	921.41	1,300.00
52080 · Meeting Exp - Marion	153.16	200.00
52081 · Mileage Reimbursement - Marion	130.69	200.00
52090 · Meeting Exp - Warren	97.48	100.00
52091 · Mileage Reimbursement - Warren	701.73	1,000.00
	14,895.39	19,900.00
52120 · Website - Domain Registration	0.00	1,020.00
52121 · Website -Design/Implementation	0.00	4,000.00
52130 · Quickbooks - Jasper	273.73	300.00
Total 52000 · Me		
52170 · Quickbooks - Story	273.74	300.00
52100 · Contract		
52180 · Quickbooks - Marion	273.73	300.00
52190 · Quickbooks - Warren	273.74	300.00
	1,094.94	6,220.00
52210 · Utilities - Admin	2,153.52	2,700.00
52211 · Building Maint & Repairs -Admin	596.92	600.00
52230 · Utilities - Jasper	1,234.71	1,600.00
52260 · Utilities - Marion	448.58	500.00
Total 52100 · Cor		
52270 · Utilities - Story	2,061.71	2,800.00
52200 · Premise		
52272 · Building Maint/Repair - Story	440.13	500.00
52280 · Utilities - Warren	448.58	600.00
52282 · Building Maint/Repair - Warren	6,056.58	2,000.00
52291 · Utilities/Phone/Intnt-Mo Cord	404.58	500.00
52200 · Premise Expense - Other	0.00	0.00
	13,845.31	11,800.00
52301 · Auto Insurance - Adm	1,126.89	1,500.00
52302 · Vehicle expense-Admin	177.69	0.00
52303 · Annual Vehicle Inspection-Admin	606.00	0.00
52330 · Fuel - Jasper	39,819.19	57,000.00
Total 52200 · Pre		
52331 · Auto Insurance - Jasper	12,040.70	16,000.00
52300 · Vehicle E		
52332 · Vehicle Repairs & Maint - Jaspe	66,747.26	90,000.00
52333 · Cameras - Jasper	1,686.00	2,500.00
52334 · Radio Repairs - Jasper	612.25	900.00
52335 · Op/Vehicle Supplies - Jasper	1,290.90	2,000.00
52336 · Tires - Jasper	2,628.00	3,500.00

Annual Plan 2017	End Date
Design Committee	
Identify 2017 Challenge Grant applicant	May
Complete Alleyway behind Maid Rite	July
Explore art utility boxes project (utility poles too?)	August
CDBG application	December
Promote design guidelines for use by District building owners	Ongoing
Vacant storefront window project	Ongoing
PR campaign to promote historic preservation	Ongoing
Add outdoor dining opportunities	Ongoing
Promotions committee	
Cash mob (for retailers, but potentially for restaurants too)	Quarterly-Jan, April, July, Oct
Easter egg hunt	April
After hours shopping event	May
BBQ Contest during Newton Fest	June
Farmers market	June-September
Downtown Trick or Treat	October
Shop Small Saturday	November
Economic Vitality	
Organize ongoing business visitation program to deliver resources	January-February
Parking evaluation and management initiative	April-May
Local Open 4 Business Contest-event with local investors	May
Shop local campaign	September
Commercial Space open house	September
Facilitate creation of start-up incubator and or program	Ongoing
Recognize milestones/achievements of District Businesses	Ongoing
Organization Committee	
Prepare Board/committee orientation	January
Complete Spring, Summer and Fall issues of the Hub	Feb, June and Oct
Second Story packet for building owners	April
Hold Second Story informational session	May
Mail out pledges to prospective pledgers	May
Fundraiser (NEW) etiquette class	July
Magnetic Main Street Fundraiser	September
Main Street budget preparation, evaluation	December
Give at least two Friend of Main Street awards	Ongoing
Find at least five new volunteers to serve on committees or Board	Ongoing
Get more young people involved, on project-by-project basis	Ongoing
Look for opportunities for volunteer recognition throughout the year	Ongoing
Organize two Main Street social hours throughout the year	Ongoing

Board of Directors	
Amend by-laws as needed	January
Approve budget	January
Accreditation	January
Elect officers and new Board members	January
Start streetscape planning	February
Mid-year annual plan and review, make adjustments	June
Look into prospective pledgers	June
Review mission and vision statement	December
Annual meeting preparation	December

NEWTON MAIN STREET BUDGET
As of 12/28/2016

EXPENDITURES	2017	Used	Remaining	2018	Used	Remaining	2019	Prior Yr	YTD	
									Used	Remaining
DIRECTOR SALARY & PAYROLL TAX	42,500.00	0.00	42,500.00	42,500.00	0.00	42,500.00	0.00	0.00	0.00	42,500.00
DIRECTOR BENEFITS STIPEND	5,000.00	0.00	5,000.00	5,000.00	0.00	5,000.00	0.00	0.00	0.00	5,000.00
SUPPORT STAFF SALARY	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
STAFF/VOLUNTEER TRAINING	1,000.00	0.00	1,000.00	1,000.00	0.00	1,000.00	0.00	0.00	0.00	1,000.00
STAFF/VOLUNTEER TRAVEL EXPEN	2,000.00	0.00	2,000.00	2,000.00	0.00	2,000.00	0.00	0.00	0.00	1,500.00
PROGRAM ADVERTISING/PUBLIC F	8,000.00	0.00	8,000.00	1,000.00	0.00	1,000.00	0.00	0.00	0.00	1,000.00
RENT AND UTILITIES	2,400.00	0.00	2,400.00	2,400.00	0.00	2,400.00	0.00	0.00	0.00	2,400.00
TELEPHONE/INTERNET	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
INSURANCE	2,000.00	0.00	2,000.00	2,000.00	0.00	2,000.00	0.00	0.00	0.00	1,500.00
OFFICE SUPPLIES	1,000.00	0.00	1,000.00	1,000.00	0.00	1,000.00	0.00	0.00	0.00	750.00
OFFICE EQUIPMENT	1,000.00	0.00	1,000.00	1,000.00	0.00	1,000.00	0.00	0.00	0.00	1,000.00
OFFICE SIGNAGE	1,000.00	0.00	1,000.00	1,000.00	0.00	1,000.00	0.00	0.00	0.00	0.00
POSTAGE	500.00	0.00	500.00	500.00	0.00	500.00	0.00	0.00	0.00	750.00
PRINTING/PHOTOCOPYING	75.00	0.00	75.00	1,200.00	0.00	1,200.00	0.00	0.00	0.00	1,000.00
WEBSITE & WEB HOSTING	1,200.00	0.00	1,200.00	100.00	0.00	100.00	0.00	0.00	0.00	100.00
PROFESSIONAL SERVICES/LEGAL F	500.00	0.00	500.00	1,100.00	0.00	1,100.00	0.00	0.00	0.00	1,150.00
MEMBERSHIPS	1,000.00	0.00	1,000.00	1,000.00	0.00	1,000.00	0.00	0.00	0.00	550.00
CONTINGENCY	1,000.00	0.00	1,000.00	1,000.00	0.00	1,000.00	0.00	0.00	0.00	1,000.00
COMMITTEES			0.00					0.00	0.00	0.00
PROMOTION	850.00	0.00	850.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
ORGANIZATIONAL	1,310.00	0.00	1,310.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
DESIGN	3,200.00	0.00	3,200.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
ECONOMIC VITALITY	750.00	0.00	750.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	76,285.00	0.00	76,285.00	63,800.00	0.00	63,800.00	61,200.00	0.00	0.00	61,200.00

2017 Committee's Annual Budget	
Promotions Committee	
Easter egg hunt	\$ 100.00
After hours event	\$ 100.00
BBQ Contest (Newton Fest)	\$ 100.00
Farmers Market	\$ 200.00
Trick or Treat	\$ 150.00
Shop Small Saturday	\$ 100.00
Incidentals	\$ 100.00
Total	\$ 850.00
Organization Committee	
Orientation video	\$ 200.00
Friends of Main Street awards	\$ 60.00
Fundraiser (NEW)	\$ 250.00
Magnetic Main Street Fundraiser	\$ 100.00
Second story booklet	\$ 500.00
Incidentals	\$ 200.00
Total	\$ 1,310.00
Design Committee	
Alleyway art work	\$ 250.00
Red pride service day	\$ 250.00
Piano cover	\$ 250.00
Alleyway plants	\$ 400.00
Utility box wraps	\$ 150.00
Bunker Christmas decorations	\$ 100.00
Telephone booth for Alleyway	\$ 1,500.00
Incidentals	\$ 300.00
Total	\$ 3,200.00
Economic Vitality	
Parking evaluation	\$ 50.00
Local Open 4 Business contest	\$ 250.00
Shop local campaign	\$ 250.00
Commercial space open house	\$ 100.00
Incidentals	\$ 100.00
Total	\$ 750.00



12/28/2016

Newton City Council,

Please consider this request for funding in the 2017-2018 budget for Newton Housing Development Corporation.

Our mission is to:

“Improve the quantity and quality of housing in Newton”

In August of 2016 City Council approved funding Newton Housing Development Corporation at \$32,000 a year for 2 years, July 1, 2016 to June 30th, 2017 and from July 1st, 2017 to June 30th, 2018 budget years.

This letter is to inform you of our activities and proposed budget for calendar year 2017.

This budget will not be voted on by the NHDC Board until January 10th at our annual meeting.

NHDC hired full time staff person, Bruce Showalter on September 15th, 2016 and we established an office at 123 W 2nd St. N, Newton, Iowa.

Ongoing and future activities:

- 1) Since starting Bruce and Craig Armstrong have started face to face visits and follow up emails to promote the Newton Housing Initiatives for Buyers and Builders. They have visited with REALTORS® and builders in Newton and neighboring communities of Grinnell, Marshalltown, Altoona and Ankeny. They plan to continue in Pella, Knoxville and the Des Moines area and to revisit and contact these neighbors throughout the year.
- 2) An agreement with Snyder and Associates has been signed for the surveying and platting, engineering work of the 7.3 acres owned by NHDC in NE Newton. Proposed Plats 8 & 9 (23 new residential building lots). NHDC will promote these plats to developers to encourage building infrastructure and develop lots, hopefully these lots will be available for home construction in 2017.
- 3) NHDC has supported the development of Cardinal Ridge Townhomes. We will continue to support as this process continues through the development and construction.
- 4) NHDC has voted to promote: IowaHousingSearch.org as the go to website for rentals in Newton. NHDC will campaign to get Landlords and Tenants to use this site.
- 5) In 2016 at least 10 different builders built residential properties in Newton. NHDC will continue to work with these and other builders by promoting Newton and these builder and their products.



- 6) NHDC will gather and provided information on available lots, Housing Market Stats and Newton Housing Incentive results. Also promote new housing studies results.
- 7) We will hold events to promote and educate existing property owners about financing and services available to help them improve their properties.
- 8) NHDC working with Newton Main Street will develop a strategy to develop 2nd story housing in the Main Street District.
- 9) Establish a funds raising strategy to further fund NHDC.
- 10) Work with City Staff on economic development projects that have a housing component.
- 11) Work with Developers to help them get IFA funding to build or remodel multi-family housing in Newton. Currently NHDC has agreements with Miller Valentine and Wishrock.
- 12) Work with landowners to establish new subdivisions in Newton.

As you can see we have a very busy year planned.

See attached proposed budget for calendar year 2017.

Bruce Showalter, Housing Director

Phone: 641-521-6031

Email: nhdcdirector@gmail.com

Web: newtonhdc.com

Newton Housing Developmnt Corp. Draft Budget 2017

Draft Budget 2017 Board vote at annual Meeting January 10th, 2017

Expenses

Wages	\$	45,000.00	
Employment Taxes	\$	3,775.00	
Rent	\$	5,000.00	
Phone	\$	660.00	
Internet	\$	1,000.00	
Insurance - D & O	\$	450.00	
Insurance - Workman Comp	\$	700.00	
Insurance - Liability	\$	300.00	
Awards and Grants	\$	1,500.00	
Memberships and Dues	\$	600.00	
Accounting - Tax prep	\$	350.00	
Office equipment	\$	100.00	
Office Supplies, paper, printer ink	\$	500.00	
Postage	\$	200.00	
Advertising	\$	2,500.00	
Meetings and Promotions	\$	1,500.00	
Legal & Property Taxes	\$	23,000.00	Estimate \$1,000/lot
Total	\$	87,135.00	

Debt

Fairmeadows North - City, 7.3 acres	\$	73,000.00
Fairmeadows North - City, Engineering	\$	9,650.00
Pay back to City, 509 E 26th St N	\$	18,667.00
Pay back to City, 504 E 26th St N	\$	22,667.00
Total	\$	123,984.00

Total Liability \$ 211,119.00

Income

City of Newton Contribution	\$	32,000.00
Private Donations and fund raisers	\$	5,000.00
Interest - checking	\$	5.00
Sub Total	\$	37,005.00

Agreements - future potential income

E 28th St S Lot - Van Ervelde	\$	25,000.00	at time of closing
E 28th St S Lot - Woodland	\$	25,000.00	At time of closing
FairMeadows North 7.3 Plats 8 & 9	\$	115,000.00	\$5,000 x 23 Lots
509 E 26th St N	\$	25,000.00	to close 3/1/2017
504 E 26th St N	\$	10,000.00	to close 11/1/2017
Total	\$	200,000.00	

Total Potensial Income \$ 237,005.00

Only sure income is \$32,005 and \$35,000 from 509 & 504 closings.
The rest is only potential income and Fairmeadow North will probably be multiple years.

REGULAR CITY COUNCIL MEETING MINUTES
DECEMBER 19, 2016, 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 4th Street South. Mayor Hansen presided. Present Council Members: Chapé, George, Trotter, Mullan Absent: Biondi, Kulis

Mayor Hansen asked everyone present to join in saying the Pledge of Allegiance.

Brooke Ramsey, HIRTA presented Council with an update on an increase demand of transportation needs. They are looking into some service changes in the near future and wanted the City involved in this planning process.

Ethan Nasalroad, Newton Airport Manager/Johnson Aviation updated Council on the year-end report and future plans for the airport.

There was no citizen participation.

Moved by Chapé, seconded by Trotter to approve consent agenda items 5-10.

5. December 5, 2016 Regular City Council Meeting Minutes.

6. Approve Liquor License Renewal Class C Liquor License Catering, Okoboji Grill – DMACC, 600 N 2nd Ave W.

7. Resolution appointing Public Works Director and Director of Planning and Zoning to serve on the Central Iowa Regional Transportation Planning Alliance Committee. Resolution No. 2016-271 adopted.

8. Resolution accepting completion of the E 31st St N Restoration Project (1st Ave E – N 19th Ave E). Resolution No. 2016-272 adopted.

9. Resolution approving Telecommunications Licensing Agreement with Windstream Iowa Communications, LLC. Resolution No. 2016-273 adopted.

10. Approval of Bills

AYES: Four. NAYS: None. Consent agenda items approved.

Mayor Hansen stated that this is the time and place for a public hearing on a resolution approving Amendment to City of Newton City-Wide Urban Revitalization Plan. Moved by George, seconded by Mullan to close the public hearing. AYES: Four NAYS: None. The public hearing was closed. Moved by Trotter, seconded by George, to adopt the resolution. AYES: Four NAYS: None. Resolution No. 2016-274 adopted.

Moved by Chapé, seconded by George, to approve the Second Consideration of an Ordinance to amend various sections of the Code of Ordinances, City of Newton, Iowa, 2016, Title IX, Chapter 90, regarding “Animals”. AYES: Four NAYS: None Second consideration of the amended ordinance passed.

Moved by Trotter, seconded by George, to approve the 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 lift special parking restrictions in the 700 block of E 4 ½ St S. AYES: Four NAYS: None First consideration of the amended ordinance passed.

Moved by Mullan, seconded by George, to approve the 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 the street parking in the 300 block of South Second Avenue East. AYES: Four NAYS: None First consideration of the amended ordinance passed.

Moved by Chapé, seconded by Trotter, to approve the 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 the street parking in the 2300 block of South Third Avenue East AYES: Four NAYS: None. First consideration of the amended ordinance passed.

Moved by Trotter, seconded by Mullan, to approve the 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 the street parking along portions of N 11th Avenue E. AYES: Four NAYS: None. First consideration of the amended ordinance passed.

Moved by George, seconded by Chapé, to approve the 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 Code Reference” by adding and removing stops signs along E 4th Street N.. AYES: Four NAYS: None. First consideration of the amended ordinance passed.

Moved by Trotter, seconded by Mullan, to approve the 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 Code Reference" by adding stops signs at various locations. AYES: Four NAYS: None First consideration of the amended ordinance passed.

Moved by Chapé, seconded by George, to approve the First Consideration of an Ordinance amending the City of Newton Code of Ordinances, Title IX, Chapter 94, Section 94.02(C)(4) Garbage, Trash and the like. AYES: Four NAYS: None First consideration of the amended ordinance passed.

Moved by George, seconded by Trotter, to approve a Resolution approving the City of Newton to enter into a 28E Agreement for Mutual Assistance for Polk County Area Fire/Rescue Services. AYES: Four NAYS: None. Resolution No. 2016-275 adopted.

Moved by Trotter, seconded by George, to approve a Resolution approving the purchase of Ford Expedition from the City of Clive. AYES: Four NAYS: None. Resolution No. 2016-276 adopted.

Moved by Chapé, seconded by George, to approve a Resolution authorizing a 3-year agreement with HLW Group, LLC to provide professional services for the Newton Sanitary Landfill. AYES: Four NAYS: None. Resolution No. 2016-277 adopted.

Moved by George, seconded by Trotter, to approve a Resolution approving a contract with CivicPlus for redesign of the City of Newton website. AYES: Four NAYS: None. Resolution No. 2016-278 adopted.

Moved by Chapé, seconded by Mullan, to approve a Resolution Approving a One-Year Extension for Venture Homes to Continue to Build Houses in Fountain Hills Estates Subdivision. AYES: Four NAYS: None. Resolution No. 2016-279 adopted.

Moved by Mullan, seconded by Trotter, to approve a Resolution Approving Submittal of an Application for the State of Iowa High Quality Job Program. AYES: Four NAYS: None. Resolution No. 2016-280 adopted.

Bryan Friedman, Director of Finance and Development, updated Council on the Action Plan.

There was no new business.

During old business Mayor Hansen updated Council on the City Administrator hiring process is going well. Mullan made note to commend Library staff as well as the Library patrons for dealing with the cold temperatures due to the heating situation being down temporarily. Staff is diligently working on the situation.

Moved by Chapé, seconded by Trotter, to adjourn the meeting at 7:04 P.M. Motion unanimously carried by voice vote.

Michael L. Hansen, Mayor

Cheryl Salyers, Deputy City Clerk

City of Newton Council Report

Item: Resolution Fixing the Amounts to be assessed against individual private property for the abatement of nuisance violations (Schedule 17-1)

Summary: The City of Newton abated some nuisances, such as tall grass/weeds or snow. These costs remain unpaid by the property owners and should be assessed to the property taxes.

Financial Impact: Cost Recovery: \$280.00



Report Number: 17-1

Date: January 3, 2017

Lead Department: Planning & Zoning Department

Recommendation:
Approve

Background: The City continues to work towards better curb appeal and improved aesthetics within the community. The City abated violations that remain non-compliant after the initial warning period.

The attached schedule lists owner, parcel number, address, amount to be assessed, date work was completed, property legal description, and property valuation.

Recommendation:

City Staff recommends approval of the Resolution fixing the amounts to be assessed against individual private property for the abatement of nuisance violations.

Jarrod Wellik
Interim City Administrator

Attachments

RESOLUTION NO. 2017 – _____

**RESOLUTION FIXING THE AMOUNTS TO BE ASSESSED
AGAINST INDIVIDUAL PRIVATE PROPERTY FOR THE
ABATEMENT OF NUISANCE VIOLATIONS (17-1)**

WHEREAS, the City of Newton has abated nuisance violations at the addresses as found in Schedule (No. 17-1): Assessment for the Expenses for Nuisance Abatement; and

WHEREAS, the City of Newton has maintained a report of the abatement costs for each individual property as found in Schedule (No. 17-1): Assessment for the Expenses for Nuisance Abatement; and

WHEREAS, the expenses have been billed to the property owners and remain unpaid;

NOW THEREFORE, BE IT RESOLVED by the City Council of Newton, Iowa, that the Schedule (No. 17-1): Assessment for the Expenses for Nuisance Abatement is approved.

NOW THEREFORE, BE IT FURTHER RESOLVED by the City Council of Newton, Iowa, that the City Clerk is hereby directed to prepare, sign, and file in the clerk's office the Schedule (No. 17-1): Assessment for the Expenses for Nuisance Abatement.

PASSED this 3rd day of January, 2017.

APPROVED this _____ day of January, 2017.

Michael L. Hansen, Mayor

ATTEST:

Cheryl Salyers, Deputy City Clerk

City of Newton Council Report

Item: Resolution Amending a Preliminary Development Agreement for a Housing Complex on Property at 205 West 4th Street North in the North Central Urban Renewal Area, City of Newton, Iowa

Summary: Extends by two months the agreement with Cohen-Esrey, which has proposed a 38-unit apartment building, subject to the receipt of State tax credits

Financial Impact:

No new impact from previous approval



Report Number: 17-2

Date: January 3, 2017

Lead Department:
Finance and Development

Recommendation:
Approval

Background:

In September, the City Council approved a Preliminary Development Agreement with Cohen-Esrey Affordable Partners, of Overland Park, Kansas. Cohen-Esrey has proposed to build a 38-unit apartment building at 205 West 4th Street North, on land that is currently a City of Newton parking lot. Cohen-Esrey, an experienced developer specializing in affordable apartments throughout the Midwest, proposes to purchase the lot for \$225,000. The total project cost is projected to be \$6,000,000

The entire project is contingent on the receipt of State of Iowa Housing Tax Credits, as distributed by the Iowa Finance Authority. The application for the credits was submitted in November, and a decision on awards is scheduled for March 2017. The Iowa Finance Authority instituted a new requirement this year that site control must be secured for nine months from the date of application. Previously this had been a six-month requirement.

The approved agreement had an expiration date of June 30, 2017, unless a Final Development Agreement was negotiated prior to that. Cohen-Esrey now requests that the Preliminary Development Agreement be amended to extend that timeframe by two months to August 31, 2017. This satisfies the State requirement, but has no actual impact on the timeframe. If the project does not receive tax credits, there would not be any effort to move towards a Final Development Agreement, regardless of the deadline. If the project application is successful, then Cohen-Esrey would immediately be underway with the Final Development Agreement and construction plans.

Recommendation:

Staff recommends approval of the Resolution.

A handwritten signature in black ink, appearing to read "Jarrod Wellik". The signature is written in a cursive style with a large initial "J" and a long horizontal stroke at the end.

Jarrod Wellik
Interim City Administrator

RESOLUTION NO. 2017 – _____

RESOLUTION AMENDING A PRELIMINARY DEVELOPMENT AGREEMENT FOR A HOUSING COMPLEX ON PROPERTY AT 205 WEST 4th STREET NORTH IN THE NORTH CENTRAL URBAN RENEWAL AREA, CITY OF NEWTON, IOWA

WHEREAS, in September 2016, the City Council approved a Preliminary Development Agreement with Cohen-Esrey Affordable Partners, LLC, (“Developer”), of Overland Park, KS, in order to facilitate a 38-unit workforce housing project on City-owned land located within the North Central Urban Renewal Area, in the 200 block of West 4th Street North; and

WHEREAS, Cohen-Esrey submitted an application in November 2016 for workforce housing tax credits from the Iowa Finance Authority; and

WHEREAS, the Iowa Finance Authority now requires that successful applicants have the site under control for nine months after submittal of the application; and

WHEREAS, the Preliminary Development Agreement, which is contingent on the Developer receiving housing tax credits from the Iowa Finance Authority, is proposed to be extended to August 31, 2017, instead of the previous expiration date of June 30, 2017;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Newton:

The attached Amended Preliminary Development Agreement between the City of Newton and Cohen-Esrey Affordable Partners, LLC, is hereby approved.

PASSED this 3rd day of January, 2017.

APPROVED this _____ day of January 2017.

Michael L. Hansen, Mayor

ATTEST:

Cheryl Salyers, Deputy City Clerk

PRELIMINARY DEVELOPMENT AGREEMENT

This Preliminary Development Agreement (hereinafter "Agreement") for the development of a 38-unit workforce housing complex is made on or as of the _____ day of _____ 2016, by and between the City of Newton, Iowa (hereinafter "City"), and Cohen-Esrey Affordable Partners, LLC (hereinafter "Developer"), of 6800 W. 64th St., Overland Park, KS 66202, and in consideration of the premises and the mutual obligations of the parties hereto, each of them does and hereby covenant and agree with the other as follows:

SECTION 1. DEVELOPMENT PROJECT: The Project consists of a four-story apartment building, with a minimum of 38 units. The building shall be located at 205 West 4th Street North in the City of Newton, Jasper County, Iowa, on parcel numbers 0833227016, 0834107002, and 0834107003. The development project is contingent on the receipt of housing tax credits from the Iowa Finance Authority in 2017.

SECTION 2. COMMITMENTS OF THE DEVELOPER: The Developer shall:

- A. Pay the City of Newton \$225,000 for the purchase of the Development Site.
- B. Complete the construction of the Development Project by December 31, 2018, consistent with the attached image and site plan.
- C. Guarantee that construction costs are a minimum of three million five hundred thousand dollars and that total project costs are a minimum of five million five hundred thousand dollars.
- D. Not be delinquent in payment of all real estate taxes when due.
- E. Accommodate any City easements necessary to relay telecommunications signals over or through the development property.

SECTION 3. COMMITMENTS OF THE CITY: The City shall:

- A. Provide a deed to the subject property, upon completion of all necessary public processes and upon receipt of the purchase price.
- B. Provide a real estate tax rebate of a maximum of \$20,000 for each of fifteen years. The first \$20,000 of real estate taxes collected by the North Central Urban Renewal Area Tax Increment Finance District from the Development Project property shall be rebated each year, starting in City Fiscal Year 2020-2021.

SECTION 4. EXPIRATION: Unless extended by mutual agreement of both parties, this Agreement automatically expires on ~~June 30~~ August 31, 2017, if a formal Final Development Agreement has not been approved by the Developer and the Newton City Council by the end of that date. The terms of the Final Development Agreement shall be generally consistent with this Agreement and the City's standard Development Agreement form.

SECTION 5. NOTICES AND DEMANDS. A notice, demand or other communication under this Agreement by either party to the other shall be sufficiently given or delivered if it is dispatched by registered or certified mail, postage prepaid, return receipt requested, or delivered personally, and:

- A. In the case of the Developer, is addressed or delivered personally to the Developer at the address stated in preamble to this Agreement; and,
- B. In the case of the City, is addressed or delivered personally to the City Administrator, 101 West 4th Street South, Newton, IA 50208, or at such other address with respect to either party as that party may from time to time designate in writing and forward to the other as provided in this Section.

SECTION 6. CITY COUNCIL APPROVAL. This Agreement is subject to the approval of the Newton City Council as required by the laws of the State of Iowa.

IN WITNESS WHEREOF, the City has caused this Agreement to be duly executed in its name and behalf by its Mayor and its seal to be hereunto duly affixed and attested by its City Clerk, and the Developer has caused this Agreement to be duly executed in its name, and if a corporation on its behalf its President and its corporate seal (if any) to be hereunto duly affixed and attested by its Secretary, on or as of the day first above written.

(SEAL)

CITY OF NEWTON, IOWA

By: _____
Michael L. Hansen, Mayor

ATTEST:

Katrina Davis, City Clerk

BUYER:

By: _____
Cohen-Esrey Affordable Partners, LLC

City of Newton Council Report



Item: Resolution Approving Lease Extension for Property at 518 West 3rd Street North in Newton

Summary: The City has received a proposal to extend the lease the former Jasper Winery building as art studio

Financial Impact:
Would gain \$1,500 in lease payments to North Central TIF District

Report Number: 17-3

Date: January 3, 2017

Lead Department:
Finance and Development

Recommendation:
Approval

Background:

The City owns the property at 518 West 3rd Street North, consisting of the red brick and metal building that previously housed the Jasper Winery. The property is located in the North Central Urban Renewal Area and has been leased by Louis Curiel for an artist studio for the past three years. In August 2016, the City Council extended the lease through the end of the year. It is proposed that this lease be extended for a short term again through the end of April 2017.

The former City manufactured gas site is located east of this property. It is currently being studied and tested for contamination by Terracon environmental services and may require future remediation. Given the uncertainty of future clean-up efforts, it is recommended that the City only considers a short-term lease of the former winery property at this time. This will give the City the opportunity to set a clear path on the environmental clean-up before entering into any long-term commitments.

Curiel has paid the \$375 rent every month of the lease to date. He had done several renovations to the building, and has plans for more. By granting a short-term extension, it will provide the City with the opportunity to further clarify the plans and expectations for the property with Curiel, including vehicle storage concerns.

If the major uncertainties are resolved with the building, the tenant, and the environmental clean-up in the first part of 2017, a longer lease extension could be considered by City Council in April 2017.

Recommendation:

Staff recommends approval of the attached Resolution.

A handwritten signature in black ink, appearing to read "Jarrod Wellik".

Jarrod Wellik
Interim City Administrator

RESOLUTION NO: 2017 - _____

**RESOLUTION APPROVING LEASE EXTENSION FOR PROPERTY AT
518 WEST 3rd STREET NORTH IN NEWTON**

WHEREAS, an offer has been submitted by the Curiel/Reynolds School of Visual Arts, and Iowa company, to continue to lease certain land owned by the City of Newton, Iowa, which land is located within the North Central Urban Renewal Area at 518 West 3rd Street North, and legally described as Lot 8, Block 2, in Black and Ritter's Subdivision, City of Newton, Jasper County, Iowa. (the "Development Property"); and

WHEREAS, the continued lease of the Development Property will result in public benefit, would further benefit development of the Urban Renewal Area, and would be consistent with the goals and objectives of the North Central Urban Renewal Plan; and

WHEREAS, the Newton City Council provided the requisite public notice and held a public hearing on the Curiel proposal when the lease was initially approved in 2013;

WHEREAS, it is proposed to have a short term lease extension through April 30, 2017 while environmental issues on surrounding land are clarified;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Newton:

Section 1: That the attached Agreement to Lease Real Estate (Exhibit 1) negotiated with the City by the Curiel/Reynolds School of Visual Arts be approved and accepted.

PASSED this 3rd day of January, 2017

APPROVED this _____ day of January, 2017

(Seal)

Michael L. Hansen, Mayor

ATTEST:

Cheryl Salyers, Deputy City Clerk

REAL ESTATE LEASE AGREEMENT

The City of Newton, Iowa, herein called the "City", and Curiel/Reynolds School of Visual Arts, hereinafter called "Lessee", on this ____ day of January 2017, hereby agree as follows:

1. The City is owner of real estate located at 518 West 3rd Street North in the City of Newton, Iowa, legally described as Lot 8, Block 2, Black and Ritter's Addition, City of Newton, Jasper County, Iowa.
2. The Lessee desires to lease said real estate from the City and locate a business upon the property.
3. The Lessee agrees to lease the above-described real estate from the City until April 30, 2017. Said lease shall be effective the date this Lease Agreement (Agreement) is signed by both parties hereto.
4. The Lessee agrees to pay to the City a monthly lease fee at the rate of \$375. Said monthly payment of the lease fee shall be made at or mailed to City Hall, 101 W. 4th St. S., Newton, Iowa, 50208. Payments are due upon the first day of each month, beginning the first month following the effective date of this Agreement.
5. The Lessee shall be responsible for all regular real estate taxes levied upon the real estate during the term of this lease.
6. The Lessee shall be responsible for all maintenance, utilities, upkeep and repair, snow removal, and mowing of the real estate, including interior and exterior of the premises and all major and minor systems.
7. The Lessee shall not sublease the real estate.
8. The Lessee agrees to accept the property "as is" and to make such permanent and temporary improvements at its own expense as may be needed to operate its business upon the real estate. The City Administrator or their designee must give their advance specific written consent to any such temporary or permanent improvements the Lessee may wish to make.
9. The Lessee shall provide appropriate and adequate insurance of the premises, including fire, casualty, and liability, with limits of \$70,000 upon the structure and \$1,000,000 for liability. A Certificate of Insurance shall be provided to the City.

10. The Lessee shall defend, indemnify, and hold the City harmless from any and all claims by third party arising directly or indirectly out of any alleged act or failure to act by the Lessee, its agents, employees, or any third party.
11. This Agreement may be canceled by the Lessee upon 30 days written notice.
12. This Agreement may be canceled by the City upon 90 days written notice.
13. In the event the City decides to sell the real estate, the City herewith grants to the Lessee a "right of first refusal" to purchase said real estate, subject to applicable public notice and hearing, and at a price to be determined. Consideration will be given for lease payments made and for improvements made to the building.
14. The City of Newton retains the permanent right to address environmental contamination issues on the entirety of the leased property through testing and remediation. The City shall coordinate with the Lessee in the event of any necessary testing and remediation to attempt to minimize interference with operations and access. This agreement does not absolve the City of any environmental responsibilities under existing law.

IN WITNESS WHEREOF, the parties have hereunto signed their names as of the day and year first above written.

City of Newton, Iowa.

Louis Curiel,
Curiel/Reynolds School of Visual Arts

By _____
Michael L. Hansen, Mayor

Attest _____
Katrina Davis, City Clerk

STATE OF IOWA
COUNTY OF JASPER

Exhibit 1

On this ____ day of _____, 2017, before me, the undersigned, Notary Public in and for the State of Iowa, personally appeared _____, to me personally known, who, being by me duly sworn, did say that they are the _____ of _____, and that the foregoing instrument was signed on behalf of said company, and that as such officer, acknowledge the execution of said instrument to be a voluntary act and deed on behalf of said company.

Notary Public
My commission expires on _____

STATE OF IOWA
COUNTY OF JASPER

On this ____ day of _____, 2017, before me, the undersigned, Notary Public in and for the State of Iowa, personally appeared Michael L. Hansen, Mayor and Katrina Davis, City Clerk of the City of Newton, Iowa, to me known to be the identical persons named in and who executed the foregoing instrument and did acknowledge that they executed the same as their voluntary act and deed on behalf of the City of Newton, Iowa.

Notary Public
My commission expires on _____

City of Newton Disbursements 1-4-17

Vendor	Department	Description	Amount
Ahlers & Cooney P C	North Central TIF	Service	\$ 396.00
Alliant Energy/IPL	All	Utility	\$ 3,720.76
AM Conservation Group Inc	Police	Supplies	\$ 327.57
Armstrong, Craig	Economic Development	Reimbursement	\$ 57.78
Arrow Pest Control LLC	Water Pollution Control	Service	\$ 30.00
Audio Editions	Library	Books	\$ 39.97
Baker & Taylor	Library	Books	\$ 3,245.57
Barney's Wrecker & Crane	Landfill	Service	\$ 40.00
Black Hills Energy	All	Utility	\$ 4,020.35
Bound Tree Medical LLC	Fire	Supplies	\$ 1,643.08
Brookwood Inc	Fire	Repair	\$ 90.00
Burdess, Rob	Police	Training	\$ 1,838.52
Camp, Randy	Police	Training	\$ 33.04
Capital Sanitary Supply	Library	Supplies	\$ 58.47
Cardinal PDC	Fire	Service	\$ 24.00
Carpenter Uniform	Fire	Supplies	\$ 128.69
Cengage Learning	Library	Books	\$ 88.37
Central Iowa Distributing Inc	Water Pollution Control	Supplies	\$ 781.00
Cheyenne Livestock & Products Inc	Water Pollution Control	Supplies	\$ 1,295.95
Civil Design Advantage LLC	Speedway/Prairie Fire TIF	Service	\$ 8,016.94
Clia Laboratory Program	Fire	Service	\$ 150.00
Cummins Central Power	Library	Service	\$ 308.56
Davis Equipment Corp	Golf	Supplies	\$ 64.61
Demco Inc	Library	Supplies	\$ 288.80
Des Moines Register	City Center	Service	\$ 252.02
Des Moines Stamp Mfg	Library	Supplies	\$ 66.75
Dixie Medical Inc	Fire	Supplies	\$ 795.00
DMACC - Ankeny Campus	Police	Service	\$ 150.00
Dodd Trash Hauling & Recycling	Solid Waste	Service	\$ 47,319.12
EMSAR Midwest	Fire	Supplies	\$ 217.35
Fareway	Water Pollution Control	Supplies	\$ 111.44
Fastenal	Street	Supplies	\$ 68.05
Firehouse Magazine	Fire	Subscription	\$ 29.95
Forbes Office Solutions	All	Supplies	\$ 1,137.85
G&K Services	All	Service	\$ 204.43
Gall's LLC	Fire	Supplies	\$ 707.49
Gary Ryther Garage Doors	Fire	Service	\$ 45.00
Hamco Walker Paper & Ink	Library	Supplies	\$ 121.00
Hammer Medical Supply	Fire	Supplies	\$ 153.50
Hawkeye Exterminators	Water Pollution Control	Service	\$ 330.00
Heisdorffer, Rex	Fire	Reimbursement	\$ 99.99
HIRTA	Public Works Administrative Svcs	Contributions	\$ 10,000.00
Homeguard Security Alarm	Water Pollution Control	Service	\$ 585.00
Hy-Vee Inc	Library	Supplies	\$ 65.97
IASRO	Police	Training	\$ 50.00
International Code Council	Building	Service	\$ 135.00

Iowa Department of Transportation	Traffic Control	Supplies	\$ 1,713.00
Iowa Dept of Natural Resources	Airport	Service	\$ 130.00
Iowa Library Association	Library	Dues	\$ 251.00
Iowa Park & Recreation	Parks	Training	\$ 280.00
Iowa Prison Industries	Snow Removal	Supplies	\$ 1,705.25
J Ray's Lawn Care and Snow Removal	Library	Service	\$ 1,425.00
Jacobs Electric Motor	Parks	Supplies	\$ 149.36
Jasper County Abstract	Housing Demolitions	Service	\$ 2,400.00
JETCO Inc	Water Pollution Control	Supplies	\$ 7,786.44
Johnson Aviation	Airport	Service	\$ 2,575.71
Kaeser & Blair Incorporated	Fire	Supplies	\$ 1,407.56
Knoll, Mike	Fire	Reimbursement	\$ 43.05
Lauterbach Buick GMC	Fire	Supplies	\$ 52.96
Magnum Automotive	Street	Supplies	\$ 28.95
Manatts - Brooklyn	Speedway/Prairie Fire TIF	Service	\$ 68,715.88
Manatts - D.M.	Street	Supplies	\$ 107.81
Martin Marietta Materials	Street	Supplies	\$ 327.92
Maxim Advertising	Administrative Svcs	Supplies	\$ 50.41
McMaster-Carr	Water Pollution Control	Supplies	\$ 169.33
McVay, Tim	Water Pollution Control	Reimbursement	\$ 100.00
Metro Waste Authority	Landfill	Service	\$ 7,582.05
MG Laundry Corporation	Fire	Service	\$ 29.20
Midland Scientific	Water Pollution Control	Supplies	\$ 147.84
Mike's Machine Repair	Water Pollution Control	Service	\$ 1,008.70
NAPA Auto Parts	Landfill	Supplies	\$ 470.31
News Printing Company	Police	Service	\$ 239.00
Newton Development Corp	Hotel/Motel Tax	Contribution	\$ 18,750.00
Newton Housing Development Corp	Hotel/Motel Tax	Contribution	\$ 8,000.00
Newton/Jasper RSVP	Community Center	Contribution	\$ 6,250.00
Noble Ford of Newton Inc	Police	Service	\$ 434.30
Office Depot	Parks	Supplies	\$ 54.55
O'Halloran International	City Garage/Landfill	Supplies	\$ 959.28
O'Keefe Elevator Co Inc	City Center	Service	\$ 194.82
O'Reilly Auto Parts	City Garage/Parks	Supplies	\$ 194.89
Pitney Bowes	Finance	Service	\$ 180.00
Project AWAKE	Parks	Rent	\$ 1,200.00
Quick Lane Tire & Auto	Fire	Service	\$ 43.45
Quill Corporation	All	Supplies	\$ 292.92
Recorded Books	Library	Books	\$ 411.87
Regent Book Co	Library	Books	\$ 15.93
Reserve Account-Pitney Bowes	Finance	Postage	\$ 3,000.00
Rivershore Reading Store	Library	Supplies	\$ 67.00
Rockmount/Nassau	City Garage	Supplies	\$ 393.19
Sandry Fire Supply LLC	Fire	Supplies	\$ 106.68
Savage Dirt Works LLC	Landfill	Service	\$ 38,609.40
Smith Quality Rental	Parks/Street/Airport	Supplies	\$ 227.29
Soderblom, Chelsea	Library	Refund	\$ 9.60
Spahn & Rose Lumber Co	All	Supplies	\$ 24.01
Sponseller, Brad	Golf	Incentive	\$ 2,347.57

Springer Professional Home Services	PW Building/Library	Service	\$ 104.00
Star Equipment	Traffic Control	Supplies	\$ 299.81
Strauss Lock Company	Fire	Equipment	\$ 62.91
TEAM Services Inc	Street	Service	\$ 282.87
The Oskaloosa Herald	Police	Service	\$ 288.70
Theisen's	All	Supplies	\$ 791.21
Theisen's Marshalltown	Landfill	Supplies	\$ 119.98
TK Concrete Inc	North Central TIF	Service	\$ 70,462.16
Traf-O-Teria System	Police	Supplies	\$ 214.12
True Value Hardware	All	Supplies	\$ 1,043.54
Unique Management Services	Library	Service	\$ 99.50
Van Maanen Electric Inc	North Central TIF	Service	\$ 271.05
Verizon	Police	Service	\$ 50.09
Wal-Mart	All	Supplies	\$ 903.14
Walsh Door & Hardware	City Center	Service	\$ 538.99
Warnick & Reeves Mechanical	Water Pollution Control	Service	\$ 112.50
Water Department	All	Utility	\$ 858.74
Watts Family Monuments Inc	Cemetery	Service	\$ 450.00
Windstream	Library	Utility	\$ 172.11
Windstream Xeta	Library	Service	\$ 6.41
Woodworks	City Center	Supplies	\$ 210.00
World Book School & Library	Library	Books	\$ 999.00
YMCA Community Center	Community Center	Contribution	\$ 9,000.00
Zoll	Fire	Supplies	\$ 557.93
TOTAL:			\$ 357,895.18

Pre-Authorized Payments

AT&T	Landfill	Utility	\$ 65.35
City of Clive	Fire	Vehicle	\$ 10,000.00
Mediacom	Administrative Svcs	Utility	\$ 205.90
Muta, Michael	N Central TIF	Micro-Grant	\$ 2,500.00
TK Concrete	N Central TIF	Final Pay	\$ 1,306.35
United States Cellular	All	Utility	\$ 325.74

ACH Payments from Great Southern Bank

Wellmark BC/BS	All	Insurance	\$ 142,254.26
Delta Dental	All	Insurance	\$ 9,924.45
Bank Iowa	All	Insurance	\$ 15,285.57
State of Iowa	All	Sales Tax	\$ 2,400.00
12-15-16 Payroll	All	Payroll	\$ 383,099.86
12-30-16 Payroll	All	Payroll	\$ 378,383.33

City of Newton Council Report



Item: Ordinance to amend various sections of the Code of Ordinances, City of Newton, Iowa, 2016, Title IX, Chapter 90, regarding “Animals”.

Summary: Amend the ordinance to define standard of care for domestic animals, add a violation for animals left in vehicles. Revise the vicious and problematic dog requirements, hearing procedures and Animal Review Committee structure.

Financial Impact: N/A

Report Number: 16-272

Date: December 5, 2016

Lead Department: Police Department

Recommendation:
Approve

Background:

Over the past 3 years there have been numerous changes to the City’s animal ordinance in an effort to ensure a higher level of animal control and improve the overall safety of the community. The Police Department works closely with the Jasper County Animal Rescue League (JCARL) and over the past year have been assessing the current ordinance as it pertains to the standard of care for domestic animals as well as safety provisions as it relates to animals being kept within vehicles. The vicious and problematic dog ordinance has also been in effect for nearly 2 years and challenges relating to that ordinance have also brought rise to some needed amendments.

Standard of Care

The current Code of Ordinances does not detail the standard of care animals (excluding livestock) should have within the City limits. The lack of an ordinance makes it problematic for the JCARL and the Police Department to enforce issues as it relates to proper housing, food, water, sanitation and medical care. The proposed ordinance details the standard of care that is expected of animal owners within the City and provides penalties for failing to do so. The proposed ordinance will require a higher level of safety and care than what is currently provided and will lead to a higher quality of life for many animals within the community.

Animals in Motor Vehicles

Animals are occasionally left in vehicles during conditions that are not ideal for their health and welfare. Neither the Newton Code of Ordinances nor the State of Iowa Code directly addresses the issue of leaving an animal in a vehicle during potentially perilous conditions. The proposed ordinance would prohibit animal owners from leaving their pets within a vehicle during times of extreme heat or cold without proper ventilation or other protections from the heat or cold. The ordinance would give the Police Department, Fire Department or the JCARL the right to forcibly enter a vehicle and remove the animal if it was deemed that the life or safety of the animal was in jeopardy as a result of being left within the vehicle. Neither the City nor the JCARL would be liable for any damage caused by the

removal of the animal and veterinary care or impound fees would be the responsibility of the animal owner.

Vicious and Problematic Dogs

The latest version of the vicious and problematic dog ordinance has been in effect since the fall of 2014. Since inception 12 dogs have been declared problematic and 6 dogs have been deemed vicious. There have been 2 vicious animal hearings, both of which occurred in 2016.

The Police Department and JCARL have worked extensively with the ordinance to ensure the safety of the community. New policies and procedures have been developed and an understanding from both agencies has helped make the process more efficient. By working through many cases, several pieces of the ordinance have been identified as needing amended to further improve the utility of the requirements and outline clearer expectations and procedures for the review committee.

The current ordinance outlines that a dog that is at large 2 or more times within a 12 month period shall be declared problematic. This has been problematic as there have been several occurrences where a dog has gotten out 2 times within a day or weekend and would rise to that threshold quite quickly. The proposed ordinance raises the number of times to 4 or more occurrences within a 12 month period before a dog is declared problematic.

In the current ordinance the Animal Review Committee is a three-member board appointed by the City Council consisting of a member of the public, a dog professional and the Police Chief or his or her designee for the purpose of making a determination of whether a dog is a problematic or vicious dog. In order to alleviate the appearance of favoritism or a biased committee, the proposed ordinance changes the Animal Review Committee to the following configuration: a member of the public, an animal professional and a City employee. This removes the Police Chief's designee and broadens the terminology of dog professional to animal professional.

In relation to the hearings and appeals, the proposed ordinance would allow the Police Chief to rescind or amend a problematic dog order after one year at the request of the animal owner if no further incidents occurred in the previous 12 months. If the Police Chief determines to stay the order, the animal owner could then appeal to the Animal Review Committee. The current ordinance does not allow for appeals past the original declaration and the dog is deemed problematic for life without the possibility of requirements being lifted or amended. The proposed ordinance also allows an owner of a vicious dog to appeal the Animal Review Committee after one year to request the declaration to be rescinded or amended. The current ordinance does not allow for appeals past the original declaration and the dog is deemed vicious for life without the possibility of requirements being lifted or amended.

Further, the proposed ordinance clearly defines the scope of what the Animal Review Committee can do procedurally and outlines a narrow scope for decision making and provides better guidance for deciding whether a vicious or problematic dog declaration should be maintained, amended or overturned.

Finally, the proposed ordinance redefines what is classified as provocation in relation to a problematic or vicious dog declaration.

Recommendation

Staff recommends approval of the proposed Animal ordinance.

A handwritten signature in black ink, appearing to read "Jarrod Wellik". The signature is written in a cursive, flowing style.

Jarrod Wellik
Interim City Administrator

Attachments

ORDINANCE NO _____

**ORDINANCE TO AMEND VERIOUS SECTIONS OF THE CODE OF ORDINANCES,
CITY OF NEWTON, IOWA, 2016, TITLE IX, CHAPTER 90, REGARDING "ANIMALS"**

WHEREAS, the City Council of Newton previously adopted ordinances relating to the regulation of animals within the City; and

WHEREAS, many of the animal regulations have been in existence for a number of years without substantial amendment;

WHEREAS, the City Council has determined that it is in the best interest of the City to update and to clarify the City regulations and procedures regarding the treatment, care, licensure, feeding and possessions of animals.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NEWTON DOES
ORDAIN AS FOLLOWS:**

SECTION 1. Title IX, Chapter 90, Section 02 is hereby amended by adding the underlined text as set forth in Attachment A, attached hereto and by this reference made a part hereof.

SECTION 2. Title IX, Chapter 90, Section 03 is hereby amended by adding the underlined text as set forth in Attachment B, attached hereto and by this reference made a part hereof.

SECTION 3. Title IX, Chapter 90, Section 07 is hereby amended by deleting the language which is stricken and by adding the underlined language as set forth in Attachment C, attached hereto and by this reference made a part hereof.

SECTION 4. Sections 17, Standard of Care, and 18, Animals in Motor Vehicles, are hereby added to Title IX, Chapter 90 with the text as set forth in Attachment D, attached hereto and by this reference made a part hereof.

SECTION 5. Title IX, Chapter 90, Sections 51, 52, 53, 54, 55, 56 are hereby amended by deleting the language which is stricken and by adding the underlined language as set forth in Attachment E, attached hereto and by this reference made a part hereof.

SECTION 6. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 7. SEVERABILITY CLAUSE. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 8. WHEN EFFECTIVE. This ordinance shall be effect from and after its final passage, approval and publication as provided by law.

PASSED this ____ day of _____, 2016.

APPROVED this ____ day of _____, 2016.

Michael L. Hansen, Mayor

ATTEST:

Katrina Davis, City Clerk

I, Katrina Davis, City Clerk of the City of Newton, Iowa, do hereby certify that the foregoing Ordinance was passed and approved by the City Council of the City of Newton, Iowa on the ____ day of _____, 2016 and was published in the Newton Daily News, a newspaper of general circulation in the said City of Newton on the ____ day of _____, 2016.

Dated this ____ day of _____, 2016.

§ 90.02 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning. Words used in the singular include the plural and the plural the singular, the masculine gender includes the feminine and the feminine the masculine.

ABANDON. Ceasing to provide control over, shelter, food and water for an animal without having made responsible arrangements for such care, custody and physical control to be provided by another person.

ANIMAL. Every wild, tame or domestic member of the animal kingdom other than the genus and species Homo sapiens.

CAT. Both male and female animals of the feline species, whether neutered or not.

DANGEROUS ANIMAL.

(1) Any animal which is not naturally tame or gentle, and which is of a wild nature or disposition, and which is capable of killing, inflicting serious injury upon, or causing disease among, human beings or domestic animals and having known tendencies as a species to do so;

(2) Any animals declared to be dangerous by the City Administrator or the City Administrator's designee; and

(3) The following animals which shall be deemed to be **DANGEROUS ANIMALS** per se:

(a) Artiodactyla of the family Antilocapridae which includes pronghorns;

(b) Artiodactyla of the family Cervidae which includes moose and caribou;

(c) Artiodactyla of the family Suidae and the genus and species Sus scrofa (domestic swine and wild boar) which includes all male and female wild boars; this shall not apply to breeds of domesticated miniature pigs, as regulated by § [90.13](#) of this chapter;

(d) Bovidae - males only (bulls);

(e) Carnivora of the family Canidae which includes wolves and foxes, but excluding domestic dogs;

(f) Carnivora of the family Felidae which includes lions, lynx, and bobcats, but excluding domestic cats;

(g) Carnivora of the family Mustelidae which includes badgers, wolverines, weasels and skunks, except ferrets;

(h) Carnivora of the family Procyonidae which includes raccoons;

(i) Carnivora of the family Ursidae which includes bears;

(j) Chelonia of the family Chelydridae (snapping turtles);

(k) Crocodilia which includes crocodiles and alligators;

(l) Chiroptera (bats);

(m) Proboscidae (elephants);

(n) Rodentia of the family Muridae (rats), except white rats kept as household pets;

(o) Squamata of the suborder Ophidia (snakes) which are venomous; and

(p) Squamata of the suborder Ophidia (snakes) which are constrictors that are greater than six feet in length.

(2011 Code, § 13.0302) (Ord. 2189, passed 4-10-2012; Ord. 2205, passed 1-28-2013)

§ 90.03 DOGS, CATS, PIGS AT LARGE.

(A) (1) Dogs and pigs properly identified as required by law shall be deemed at large if the animal is off the premises of the owner. A dog or pig shall not be deemed at large if:

(a) On the premises of its owner;

(b) Off the premises of the animal's owner and under the control of a person given charge of the dog by the owner by leash, cord, chain or other similar restraint not more than six feet in length;

(c) Confined within a motor vehicle; or

(d) Properly housed in a veterinary hospital or kennel or commercial establishment as defined by Iowa Code Ch. 162.

(2) Cats are allowed to be unrestrained any time within the city, except agents and agencies responsible for animal control within the city are hereby authorized to temporarily seize any cat running at large within the city for the limited purposes of ascertaining whether such cat is currently licensed and vaccinated for rabies. Upon confirmation of current license and rabies tags, such cat shall be immediately released. In the absence of a current license or rabies tag, such cat shall be impounded as provided hereinafter.

(3) A cat, properly licensed and displaying such license as required by law, shall not be deemed at large if the cat is not causing damage or interfering with property of another.

(2011 Code, § 13.0303)

(B) No owner, or person in charge, of any licensed or unlicensed dog, or any cat, or any pig, shall permit such dog or cat or pig to run at large in the city at any time as described in division (A) above.

(2011 Code, § 13.0319)

(Ord. 2189, passed 4-10-2012; Ord. 2205, passed 1-28-2013; Ord. 2247, passed 5-4-2015) Penalty, see § [90.99](#)

§ 90.07 CLEANUP.

It shall be the duty of every person owning or having the custody or control of an animal to clean up, remove and dispose of the feces deposited by such animal upon public property, park property, public right-of-way or the property of another. Failure to do so shall constitute a municipal infraction ~~misdemeanor~~.

(2011 Code, § 13.0309.3) Penalty, see § [90.99](#)

§ 90.17 STANDARD OF CARE

All owners and persons in charge of any animal shall comply with the following standards of care. Failure to comply with any standards shall be a violation of this section and constitute a municipal infraction:

- (A) Provide adequate food, shelter and water for that animal. No person keeping an animal shall abandon any such animal.
- (B) Provide adequate food, at intervals appropriate for the species, a quantity of wholesome food ingredients, suitable for the physical condition and age of the animal, served in a clean receptacle or container, sufficient to maintain an adequate level of nutrition for such animal.
- (C) Provide reasonable access to a supply of clean, fresh, potable water, provided in a sanitary manner. If potable water is not accessible to the animal at all times, it shall be provided daily, for such duration and of sufficient quantity as appropriate for the species.
- (D) Provide adequate shelter for such animal when it is kept outdoors, tangle-free, which shall mean a structurally sound, weather-proof, properly ventilated shelter, which provides access to shade from direct sunlight and regress from exposure to weather conditions. The shelter should be appropriate for the particular species and breed.
- (E) Provide adequate shelter for such animal when it is kept indoors, which means a properly ventilated and illuminated facility, sufficiently regulated by heating or cooling to protect the animal from extremes of temperature, and to provide for its health and comfort. It should be appropriate for the particular species and breed.
- (F) Provide adequate sanitation that includes periodic cleaning or sanitizing of housing facilities and any area where the animal is confined or restrained, to remove excreta and other waste materials and dirt, so as to minimize vermin infestation, odors and disease hazards.
- (G) Provide adequate space, which means primary enclosures and housing facilities shall be constructed and maintained so as to provide sufficient space to allow each animal to make normal postural and social adjustments with adequate freedom of movement to maintain physical condition.
- (H) Provide adequate veterinary care, which means that a sick, diseased, or injured animal shall be provided with a proper program of care by a veterinarian, or humanely euthanized. All animals shall be provided with proper immunizations and preventive health care including parasite control.

Exception: This section shall not apply to livestock or livestock owners as defined by Iowa Code section 169C.1

§ 90.18 ANIMALS IN MOTOR VEHICLES.

No owner or person in charge shall confine any animal in a motor vehicle in such a manner that places it in a life or health threatening situation by exposure to a prolonged period of extreme heat or cold, without proper ventilation or other protection from such heat or cold. In order to protect the health and safety of an animal, an animal control officer, law enforcement officer, or fire or rescue squad who has probable cause to believe that this Section is being violated shall have authority to enter such motor vehicle by any reasonable means under the circumstances after making a reasonable effort to locate the owner or other person responsible. An animal control officer, law enforcement officer, or fire or rescue squad, who removes an animal from a vehicle or enclosed space in accordance with this subsection is not liable for any resulting property damage.

The person rescuing the animal shall notify the animal control officer, who may take the animal to a veterinarian for treatment or to the ARL for housing, if necessary. The cost of such treatment or housing shall be paid by the animal owner.

§ 90.51 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

AT LARGE. Dogs found off premises of the owner or keeper. A vicious dog or a problematic dog shall not be deemed **AT LARGE** if the dog is:

- (1) Muzzled, attached to a leash of sufficient strength and six feet in length to control the dog where such leash is held by its owners or keeper at all time;
- (2) Contained within an enclosed motor vehicle or crate; or
- (3) Housed in a licensed veterinarians clinic or kennel.

OWNER. A person who has a right of property or custody of a dog. For purposes of this definition, a right of property or custody of a dog exists if a person knowingly permits a dog to remain on or continuously return to any premises occupied by that person for two weeks or more at a time.

PROBLEMATIC DOG. A dog that may reasonably be assumed to pose a threat to public safety as demonstrated by any of the following behaviors:

- (1) Causing an injury to a person or domestic animal that is less severe than a serious injury;
- (2) Without provocation, chases vehicles or threatens, attacks or interferes with persons or other domestic animals while the latter are on public property, irrespective of whether the dog is on private or public property;
- (3) Running at large, as defined herein, and impounded, or owners cited by the Police Department or the organization authorized to enforce the problematic or vicious dog law ~~two~~ four times for running at large within any 12-month period;
- (4) Acts in a highly aggressive manner within a fenced yard/enclosure and/or is tethered and appears to the animal enforcement or other law enforcement officer to be able to jump over or escape; and/or
- (5) Has a known propensity, tendency or disposition to attack persons or domestic animals, unprovoked, causing injury or less than serious injury, or to otherwise threaten the safety of humans or domestic animals.

PROPER ENCLOSURE. An enclosure that is sufficiently constructed and maintained to effectively prevent a dog subject to this subchapter from escaping. Such enclosure requires the following minimum requirements:

- (1) Problematic and vicious dogs to be securely confined within an occupied house or residence or in a securely enclosed and locked pen or kennel, except when leashed as provided in this subchapter. Such pen, kennel or structure must have secure sides and a secure top attached to the sides or, in lieu of a top, walls at least six feet in height and at least six feet taller than any internal structure;
- (2) All pens or other structures designed, constructed or used to confine problematic and vicious dogs must be locked with a key or combination lock when such animals are within the structure. Such structure must have a secure bottom, floor or foundation attached to the sides of the pen, or the sides of the pen must be embedded in the ground no less than two feet so as to prevent digging under the walls by the confined problematic or vicious dog;
- (3) Compliance with all pertinent zoning ordinances and other ordinances; and
- (4) No problematic or vicious dog may be kept on a porch, patio or in any part of a house or structure that would allow the dog to exit such building on its own volition.

QUARANTINE. The strict isolation imposed to prevent the spread of disease.

RABIES. An acute viral disease of the central nervous system that is transmitted through the saliva from a bite or abrasion from an infected animal.

RESPONSIBLE PERSON. A person at least 18 years old who is able to keep the dog under control at all times.

REVIEW COMMITTEE. A three-member board appointed by the City Council consisting of a member of the public, an animal dog professional, and a City Employee ~~the Police Chief or his~~

or her designee for the purpose of making a determination of whether a dog is a problematic or vicious dog.

SERIOUS INJURY. Any injury causing heavy bleeding, permanent nerve damage, damage beneath the skin or stitches.

VICIOUS DOG. Any dog that has been declared or found to pose an unacceptable risk to public safety by the animal control authority, law enforcement agency or court for conduct consistent with the following:

- (1) Has on any single occasion caused the death or the serious injury to a person;
- (2) Has killed a domestic animal or pet or inflicted injury upon a domestic animal or pet such that the domestic animal or pet later dies or is euthanized due to the attack;
- (3) Has previously been designated as a “problematic dog” by this or any other jurisdiction, and engages in behavior that poses a threat to public safety as described herein on two or more occasions;
- (4) Has previously been designated as “vicious dog” by this jurisdiction or its substantial equivalent by any other jurisdiction; and
- (5) Has engaged in or has been trained to engage in exhibitions of fighting.

(Ord. 2239, passed 11-4-2014)

§ 90.52 DETERMINATION OF PROBLEMATIC DOGS.

(A) After an investigation, the Police Chief or his or her designee is authorized to make a determination whether a dog is problematic based on the factors listed in § 90.51 of this chapter and shall notify the owner of the dog in writing by certified mail or hand delivery with signature of that status.

(B) Following attempted notice to the owner if the Police Chief or his or her designee has probable cause to believe that a dog is a problematic dog and may pose a threat to public safety, the Police Department may, by owner consent or warrant, impound the dog pending disposition of the case or until the dog owner has fulfilled the requirements hereof. The owner of the dog will be liable for the costs of impounding and keeping the dog.

(C) The owner may request a hearing before a review committee by sending a written notice to the City Clerk within 15 days after the date of notice from the city of the determination of a problematic dog. Upon receipt of a request for hearing, the review committee shall schedule a hearing concerning the determination of a problematic dog to be held within 30 days after receipt by the city of the request for hearing. The determination regarding a problematic dog shall be stayed pending the results of the hearing. ~~After the hearing, the review committee may amend or reverse the determination of the problematic dog. A decision by the review committee overturning the determination shall not affect the city's right to later declare a dog to be problematic or a vicious dog, or to determine that the dog poses a threat to public safety, for the dog's subsequent behavior.~~

(D) If the owner timely requests a hearing before the review committee pursuant to section 90.52(C), such hearing shall follow the following procedures:

(a) A hearing officer appointed by the review committee shall impartially preside over the hearing.

(b) Each case before the hearing officer shall be presented by the Police Chief or his or her designee who will have the burden of presenting evidence that the dog is a problematic dog and should be classified as such. If the evidence indicates that the dog is problematic, the burden is on the owner to present evidence that the dog is not problematic. At the hearing, the Chief of Police or his or her designee may call witnesses, cross examine witnesses, present evidence, and examine evidence.

(c) All testimony shall be under oath and shall be recorded. The hearing officer shall hear testimony from the animal control officer, the owner of the dog, and any witnesses for either side. Formal rules of evidence shall not apply, but fundamental due process shall be observed and shall govern the proceedings.

(d) At the conclusion of the hearing, the hearing officer shall issue findings of fact, based on evidence of record and conclusions of law, and shall issue an order classifying a dog as problematic, or an order stating that there's insufficient cause to declare the dog as problematic. A decision by the review committee overturning the determination shall not affect the city's right to later declare a dog to be a problematic

dog, or to determine that the dog poses a threat to public safety, for the dog's subsequent behavior.

(e) Nothing in this section shall prohibit a hearing officer from taking a case under advisement or continuing a hearing in the interest of justice.

(Ord. 2239, passed 11-4-2014)

§ 90.53 DETERMINATION OF VICIOUS DOGS.

(A) After an investigation, the Police Chief or his or her designee is authorized to determine whether a dog is vicious based on the factors listed in § 90.51 of this chapter, and shall notify the owner of the dog in writing by certified mail or hand delivery with signature of that status.

(B) (1) Following attempted notice to the owner, if the Police Chief or his or her designee has probable cause to believe that a dog is a vicious dog and may pose a threat to public safety, the Police Department may obtain a search warrant pursuant to this jurisdiction's rules of civil procedure and impound the dog pending disposition of the case or until the dog owner has fulfilled the requirements of § 90.55 of this chapter.

(2) The owner of the dog will be liable for the costs of impounding and keeping the dog.

(C) (1) The owner may request a hearing before a review committee by sending a written notice to the City Clerk within 15 days after the date of notice from the city of the determination of a vicious dog. Upon receipt of a request for hearing, the review committee shall schedule a hearing concerning the determination of a vicious dog to be held within 30 days after receipt by the city of the request for hearing. The determination regarding a vicious dog shall be stayed pending the results of the hearing.

~~(2) After the hearing, the review committee may amend or reverse the determination of the vicious dog. A decision by the review committee overturning the determination shall not affect the city's right to later declare a dog to be a vicious dog, or to determine that the dog poses a threat to public safety, for the dog's subsequent behavior. If the owner timely requests a hearing before the review committee pursuant to section 90.53(C)(1), such hearing shall follow the following procedures:~~

(a) A hearing officer appointed by the review committee shall impartially preside over the hearing.

(b) Each case before the hearing officer shall be presented by the Police Chief or his or her designee who will have the burden of presenting evidence that the dog is a vicious dog and should be classified as such. If the evidence indicates that the dog is vicious, the burden is on the owner to present evidence that the dog is not vicious. At the hearing, the Chief of Police or his or her designee may call witnesses, cross examine witnesses, present evidence, and examine evidence.

(c) All testimony shall be under oath and shall be recorded. The hearing officer shall hear testimony from the animal control officer, the owner of the dog, and any witnesses for either side. Formal rules of evidence shall not apply, but fundamental due process shall be observed and shall govern the proceedings.

(d) At the conclusion of the hearing, the hearing officer shall issue findings of fact, based on evidence of record and conclusions of law, and shall issue an order classifying a dog as vicious, or an order stating that there's insufficient cause to declare the dog as vicious. A decision by the review committee overturning the determination shall not affect the city's right to later declare a dog to be a vicious dog, or to determine that the dog poses a threat to public safety, for the dog's subsequent behavior.

(e) Nothing in this section shall prohibit a hearing officer from taking a case under advisement or continuing a hearing in the interest of justice.

(3) In the event that the vicious dog determination has been in place for 12 months or more, and provided there have been no further violations of the provisions of this chapter during such time, the owner may make application to the review committee to have the vicious dog designation or any requirements contained therein rescinded or amended. The owner shall make such application by providing a written request for hearing to the City Clerk. This request must state the full name of the applicant, the subject dog, and must contain a certification that no further violations of this Chapter have occurred in the twelve-month period immediately preceding such application. Within 20 days of receipt of the Application, the City Clerk shall set the matter for hearing before the review committee, which hearing shall occur no later than 45 days after the date the application was filed with the City Clerk. In rendering its decision, the review committee may consider, among other items, the severity of the incident that resulted in

the designation, the need to protect the public from further incidents, and the likelihood of future incidents based on the history of the owner and/or the subject dog. At the conclusion of the hearing, the review committee may rescind the vicious dog designation, may rescind or amend specific requirements set forth in the designation, or may take no action. The original vicious dog determination shall remain in effect pending the results of the hearing. In the event the review committee declines to rescind or amend the vicious dog designation or any requirements contained therein, the owner may not request another hearing before the review committee for another 12 months from the date of the review committee's decision, unless the review committee in rendering its decision shall specifically provide for a subsequent review within a shorter period of time.

(Ord. 2239, passed 11-4-2014)

§ 90.54 EXCEPTIONS; CONSEQUENCES OF DETERMINATIONS.

(A) No dog shall be declared a vicious dog or a problematic dog if:

~~(1) The dog was used by a law enforcement or military official for legitimate law enforcement or military purposes; or~~

~~(2) The threat, injury or damage was sustained by a person or domesticated animal:
(a) Who was provoking, tormenting, abusing or assaulting the dog or who can be shown to have repeatedly, provoked, tormented, abused or assaulted the dog; or
(b) Who was committing or attempting to commit a crime.~~

the dog threatened, injured, or damaged a person or domestic animal because it was provoked by that person or animal. For purposes of this section, any attack by an animal or physical injury caused by an animal shall be considered provoked if at the time the attack occurs or the injury is inflicted: (1) the person or animal who was attacked or injured was teasing, tormenting, abusing, or assaulting the animal; (2) the animal was protecting a person, itself, its young, or another domestic animal from an attack by a human being or another animal; or (3) the person who was attacked or injured was committing a crime on the property or was attempting to commit a crime or violating or attempting to violate a statute or ordinance which protects person or property of the animals responsible party or (4) the animal was being utilized by a law enforcement agency for law enforcement purposes while under the control and direction of a law enforcement officer.

(B) (1) If the Police Chief or his or her designee determines that a dog is a problematic dog under § 90.52 of this chapter, the owner shall comply with the provisions of § 90.55 of this chapter and any other special security or care requirements which are reasonable.

(2) The Police Chief or his or her designee may cause a dog to be quarantined for observation for a minimum period of no less than ten days when any such dog has bitten a domesticated animal or caused a skin abrasion upon any person. If said dog has a current rabies certificate, then such quarantine may be at the discretion of the person or persons in charge of animal enforcement and the quarantine occurs on the owner's premises in a manner ordered and as directed. If the owner fails to confine the dog as directed, then it shall be apprehended and held for the remainder of the ten-day quarantine at a veterinarian's office. If said dog has not been vaccinated against the rabies virus or the rabies vaccination has since expired then said dog will be quarantined at a veterinarian's office for no less the ten days. If a dog is placed in quarantine outside of the home, the owner shall be required to pay the impounding fees. If the owner fails to pay the fees at the end of the period of isolation as directed by the animal enforcement authority, the animal will be turned over to the local animal shelter for assessment of adoptability. If said animal is deemed unadoptable it will be humanely euthanized. If a dog has bitten a domesticated animal or a person or caused a skin abrasion upon a person and is unclaimed or the owner is unknown, then it shall be held for a quarantine time of no less than ten days and then may be humanely euthanized.

(3) If the Police Chief or his or her designee determines that a dog is a vicious dog under § 90.53 of this chapter, the owner shall comply with the provisions of § 90.55 of this chapter and any other special security or care requirements which are reasonable.

(4) The Police Chief or his or her designee may require immediate impoundment of the dog if the owner is unable or unwilling to comply with the requirements of § 90.55 of this chapter until the owner of the dog has satisfied all the requirements of the certificate of registration. The requirements must be met within 30 days. If, after 30 days, the owner has not satisfied all the requirements of the certificate of registration, the dog may be humanely euthanized on the thirty-first day. The owner of the problematic/vicious dog shall be liable to the organization designated to hold said dog for all costs incurred while housing whether or not the dog is reclaimed by the owner.

(5) If the occurrence results in the death of a person, the dog shall be euthanized.

(Ord. 2239, passed 11-4-2014)

§ 90.55 REGISTRATION AND HANDLING REQUIREMENTS.

(A) The Police Department shall issue a certificate of registration to the owner of a problematic dog if the owner establishes to the satisfaction of the Police Chief, or his or her designee that:

(1) The owner of the problematic dog is 18 years of age or older;

(2) The owner of the problematic dog shall present a certificate of insurance issued by an insurance company licensed to do business in the state, providing personal liability insurance coverage as in a homeowner's policy, with a minimum liability amount of \$50,000 for the injury or death of any person, for damage to property of others and for acts of negligence by the owner or his or her agents. The certificate shall require notice to the city, in conformity with general city standards for certificates of insurance, if the underlying policy of insurance is cancelled for any reason. In lieu of such a certificate, a copy of a current homeowner's policy designating these requirements shall be sufficient proof of insurance for purposes of this division (A)(2). If a certificate of insurance or policy is not immediately available, a binder indicating the coverage may be accepted for up to 30 days subsequent to the determination that a dog is problematic; however, if after 30 days a certificate of insurance or a policy has not been submitted, the dog shall be deemed unlicensed and subject to immediate impoundment or humane euthanasia at the owner's expense;

(3) A valid license has been issued for the problematic dog at the owner's expense pursuant to jurisdiction;

(4) The problematic dog has a current rabies vaccination at the owner's expense;

(5) The owner has a proper enclosure to prevent the entry of any person or animal and the escape of said problematic dog, as described in § 90.51 of this chapter;

(6) The problematic dog has been spayed or neutered at the owner's expense;

(7) The problematic dog has been implanted with a microchip containing owner identification information at the owner's expense. The microchip information must be registered with the law enforcement, the animal authority, the animal control authority or his or her designee of the jurisdiction; and

(8) The problematic dog has been photographed for identification purposes.

(B) The Police Department shall issue a certificate of registration to the owner of a vicious dog if the owner, in addition to satisfying the requirements for registration of a problematic dog pursuant to division (A) above, establishes to the satisfaction of the Police Chief or his or her designee that:

(1) The owner will maintain the vicious dog exclusively on the owner's property, except for medical treatment or examination; and

(2) The owner of the vicious dog has posted on the premises a clearly visible "Beware of DOG" written warning sign that indicating there is a vicious dog on the property. The sign shall be very visible from the public roadway or 50 feet, whichever is less.

(C) The Police Chief or his or her designee may order the immediate impoundment of a vicious dog if the owner fails to abide by the conditions for registration or confinement or handling of a vicious or problematic dog.

(D) If any dog previously determined to be a problematic dog has not exhibited any of the behaviors specified in § 90.51 of this chapter within 12 months since the date of the problematic dog determination, then that dog is eligible for a review of the determination with the potential for lifting the requirements of this section; ~~provided, however, that if the Police Chief lifts the requirements of this section, the same dog may again be declared a vicious or problematic dog if it again exhibits any of the specified behaviors.~~ Annual Such a review shall be completed by the Police Chief upon application of the owner, which application shall be made to the City Clerk. The Police Chief may rescind the problematic dog designation, may rescind or amend specific requirements set forth in the designation, or may take no action.

(E) If an owner applies for an annual review to the Police Chief and the owner is aggrieved by the Police Chief's decision, the owner may make application to the review committee to have the problematic dog designation or any requirements contained therein rescinded or amended. The owner shall make such application by providing a written request for hearing to the City

Clerk. The application must be submitted within 15 days from the date of the Police Chief's decision to continue the problematic dog determination, must set forth the full name of the applicant and the subject dog, and must contain a certification that no further violations of this Chapter have occurred in the twelve-month period immediately preceding such application. Within 20 days of receipt of the Application, the City Clerk shall set the matter for hearing before the review committee, which hearing shall occur no later than 45 days after the date the application was filed with the City Clerk. In rendering its decision, the review committee may consider, among other items, the severity of the incident that resulted in the designation, the need to protect the public from further incidents, the likelihood of future incidents based on the history of the owner and/or the subject dog. At the conclusion of the hearing, the review committee may rescind the problematic dog designation, may rescind or amend specific requirements set forth in the designation, or may take no action. The original problematic dog determination shall remain in effect pending the results of the hearing. In the event the review committee declines to rescind or amend the problematic dog designation or any requirements contained therein, the owner may not request another hearing before the review committee for another 12 months from the date of the review committee's decision, unless the review committee in rendering its decision shall specifically provide for a subsequent review within a shorter period of time.

(Ord. 2239, passed 11-4-2014)

§ 90.56 OWNER RESPONSIBILITY.

It shall be unlawful to:

(A) Keep a dog determined to be vicious or problematic without a valid certificate of registration issued under § 90.55 of this chapter;

(B) Permit a problematic dog to be outside a proper enclosure unless the problematic dog is under the control of a responsible person, as defined in § 90.51 of this chapter, muzzled, and restrained by a substantial lead not exceeding six feet in length. The muzzle shall be made in a manner that will not cause injury to the dog or obscure its vision or interfere with its respiration, but shall prevent it from biting any human being or animal;

(C) Fail to maintain a vicious dog exclusively on the owner's property as required except for medical treatment or examination. When removed from the owner's property for medical treatment or examination, the vicious dog shall be crated or under the control of a responsible person, as defined in § 90.51 of this chapter, muzzled and restrained with a substantial lead not exceeding six feet in length. The muzzle shall be made in a manner that will not cause injury to the dog or obscure its vision or interfere with its respiration, but shall prevent it from biting any human being or animal;

(D) Keep a vicious or problematic dog chained or otherwise tethered to any object or structure, including, but not limited to, trees, posts, fences, buildings or other structures;

(E) Fail to notify immediately the Police Department in person or by telephone upon escape if a vicious or problematic dog is on the loose, is unconfined, has attacked a domestic animal or has attacked a human being;

(F) Fail to notify within seven days the Police Department with the name, address and telephone number of the new owner of the vicious or problematic dog if the dog has been sold or has been given away to an owner inside or outside the jurisdiction; and, if requested by the Police Chief or his or her designee, the owner must execute an affidavit under oath setting forth the complete name, address and telephone number of the person to whom the dog has been transferred;

(G) Fail to notify, within seven days, the Police Department of a change of address or telephone number by the owner of the vicious or problematic dog;

(H) Fail to notify within seven days the Police Department if the vicious or problematic dog has died; and

(I) Fail to surrender a vicious or problematic dog to law enforcement, the animal control authority or his or her designee for safe confinement pending a disposition of the case when there is a reason to believe that the vicious or problematic dog poses an imminent threat to public safety.

The animal owner's property and the animal are subject to periodic inspection by the Police Department to ensure compliance with this ordinance.

(Ord. 2239, passed 11-4-2014) Penalty, see § 90.99

City of Newton Council Report



Item: 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 lift special parking restrictions in the 700 block of E 4 ½ St S.

Summary: To lift parking restrictions to accommodate current use.

Financial Impact: none

Report Number: 16-281

Date: December 19, 2016

Lead Department: Police Department

Recommendation: Approve

Background:

City staff received a request to lift the special parking restriction on E 4 ½ ST S from South 7th Avenue to South 8th Avenue. The current ordinance restricts parking from 8AM-4PM Monday-Friday when school is in session. Due to parking lot expansion at the NCSD this roadway is no longer used for school parking. The Traffic Safety Committee assessed this area and recommends lifting the special parking restriction for this roadway. Surveys were sent out to the neighborhood and no responses were received.

Recommendation:

City Staff recommends approval of the ordinance amendment lifting restrictions in the 700 block of E 4 ½ St S.

A handwritten signature in black ink, appearing to read "Jarrod Wellik".

Jarrod Wellik
Interim City Administrator
Attachment

ORDINANCE NO. _____

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 REMOVE SPECIAL PARKING RESTRICTIONS ON THE EAST SIDE OF EAST FOUR AND ONE-HALF STREET SOUTH FROM SOUTH SEVENTH AVENUE EAST TO SOUTH EIGHTH AVENUE EAST.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEWTON, IOWA:

Section 1. The Code of Ordinances, City of Newton, Iowa, 2016, Title VII, Chapter 70, Section 70.15, "Traffic and Parking Schedules Adopted by Reference" is hereby amended by adding or ~~deleting~~ the following:

NO PARKING ZONES. No one shall stop, stand or park a vehicle in any of the following specifically designated no parking zones except when necessary to avoid conflict with other traffic or in compliance with the direction of a peace officer or traffic control signal.

STREETS, SOUTHEAST QUADRANT

East Four and One-Half Street South.

"No Parking Anytime"

West side from South Fifth Avenue East south to South Eighth Avenue East.

~~"No Parking 8:00 a.m. — 4:00 p.m. Monday — Friday (School Season)"~~

~~Eastside from South Seventh Avenue East to South Eighth Avenue East~~

Section 2. Repealer Clause. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 3. Severability Clause. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 4. Effective. This ordinance shall be effective on _____, 2016, after the final passage, approval and publication as provided by law.

PASSED this ____ day of _____, 2016.

APPROVED this ____ day of _____, 2016.

(SEAL)

Michael L. Hansen, Mayor

ATTEST:

Katrina Davis, City Clerk

I, Katrina Davis, City Clerk of the City of Newton, Iowa, do hereby certify that the foregoing Ordinance was passed and approved by the City Council of the City of Newton, Iowa on the ____ day of _____, 2016 and was published in the Newton Daily News, a newspaper of general circulation in the said City of Newton on the ____ day of _____, 2016.

Dated this ____ day of _____, 2016.

Katrina Davis, City Clerk

City of Newton Council Report



Item: 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 the street parking in the 300 block of South Second Avenue East.

Summary: To restrict street parking for safety purposes and accommodate current use.

Financial Impact: None

Report Number: 16-282

Date: December 19, 2016

Lead Department: Public Works Department

Recommendation: Approve

Background:

S 2nd Avenue E has recently been reconstructed and the 300 block has been made wider. The 300 block of S 2nd Avenue E is now 31 feet wide and can accommodate parking on one side of the street. The current code restricts parking on the north and south sides of the street. Staff recommends that parking be allowed on the north side of the street.

Recommendation:

Staff recommends approval of the ordinance amendment to change parking in the 300 block of S 2nd Avenue E.

A handwritten signature in black ink, appearing to read "Jarrod Wellik".

Jarrod Wellik
Interim City Administrator

Attachment

ORDINANCE NO. _____

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 THE STREET PARKING IN THE 300 BLOCK OF SOUTH SECOND AVENUE EAST.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEWTON, IOWA:

Section 1. The Code of Ordinances, City of Newton, Iowa, 2016, Title VII, Chapter 70, Section 70.15, "Traffic and Parking Schedules Adopted by Reference" is hereby amended by adding or ~~deleting~~ the following:

NO PARKING ZONES. No one shall stop, stand or park a vehicle in any of the following specifically designated no parking zones except when necessary to avoid conflict with other traffic or in compliance with the direction of a peace officer or traffic control signal.

AVENUES, SOUTHEAST QUADRANT

South Second Avenue East.

"No Parking Anytime".

South side from East Third Street South east to East Fourth Street South.

North side from East Fourth Street South to East Fifth Street South.

~~North side from East Third Street South to East Fourth Street South.~~

Section 2. Repealer Clause. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 3. Severability Clause. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 4. Effective. This ordinance shall be effective on _____, 20__, after the final passage, approval and publication as provided by law.

PASSED this ____ day of _____, 20__.

APPROVED this ____ day of _____, 20__.

(SEAL)

Michael L. Hansen, Mayor

ATTEST:

Cheryl Salyers, Deputy City Clerk

I, Cheryl Salyers, Deputy City Clerk of the City of Newton, Iowa, do hereby certify that the foregoing Ordinance was passed and approved by the City Council of the City of Newton, Iowa on the ____ day of _____, 20__ and was published in the Newton Daily News, a newspaper of general circulation in the said City of Newton on the ____ day of _____, 20__.

Dated this ____ day of _____, 20__.

Cheryl Salyers, Deputy City Clerk

City of Newton Council Report



Item: 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 the street parking in the 2300 block of South Third Avenue East.

Report Number: 16-283

Date: December 19, 2016

Summary: To restrict street parking for safety purposes and accommodate current use.

Lead Department: Public Works Department

Financial Impact: none

Recommendation: Approve

Background:

S 3rd Avenue E is a 31-foot wide street that currently allows parking on both sides in the 2300 block. The Church of the Way has requested that parallel street parking be restricted along the north curb of S 3rd Avenue E between E 23rd Street S and E 24th Street S. The Church of the Way owns the property along the north side of the street and Aurora School is located along the south side of the street.

The Church of the Way has recently constructed a new facility and a new off-street parking lot on the north side of S 3rd Avenue E that extends between E 23rd Street S and E 24th Street S. To accommodate handicap accessible parking and access into their facility, 6 new handicap accessible parking stalls with striped access aisles were constructed along the north side of S 3rd Avenue E. The accessible stalls are diagonal parking stalls that extend from the street flowline onto the church property.

The City Traffic Safety Committee reviewed the request. The street is wide enough to accommodate parking on both sides during low traffic volumes. However due to peak traffic volumes during school and church activities, it is recommended that parking be allowed on one side only. Also, visibility for backing onto the street from the diagonal handicap accessible parking stalls near the middle of the block would be improved if there was no parallel street parking. The Traffic Safety Committee recommends to restrict parallel curb parking along the north side of the 2300 block of S 3rd Avenue E. Because the existing diagonal parking stalls utilize approximately half of the block, approval of the ordinance would eliminate 5 unstriped, parallel parking spaces along the north side of the street.

Recommendation:

Staff recommends approval of the ordinance amendment.

A handwritten signature in black ink, appearing to read "Jarrod Wellik".

Jarrod Wellik
Interim City Administrator

ORDINANCE NO. _____

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 THE STREET PARKING IN THE 2300 BLOCK OF SOUTH THIRD AVENUE EAST.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEWTON, IOWA:

Section 1. The Code of Ordinances, City of Newton, Iowa, 2016, Title VII, Chapter 70, Section 70.15, "Traffic and Parking Schedules Adopted by Reference" is hereby amended by adding or ~~deleting~~ the following:

NO PARKING ZONES. No one shall stop, stand or park a vehicle in any of the following specifically designated no parking zones except when necessary to avoid conflict with other traffic or in compliance with the direction of a peace officer or traffic control signal.

AVENUES, SOUTHEAST QUADRANT

South Third Avenue East.

"No Parking Anytime".

North Side from First Street South east to East Fourth Street South.

North side from East Nineteenth Street South east to East Twenty-first Street South.

North side from East Twenty-third Street South to East Twenty-fourth Street South, except diagonally parking that extends from street flowline onto private property.

Section 2. Repealer Clause. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 3. Severability Clause. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 4. Effective. This ordinance shall be effective on _____, 20__, after the final passage, approval and publication as provided by law.

PASSED this ____ day of _____, 20__.

APPROVED this ____ day of _____, 20__.

(SEAL)

Michael L. Hansen, Mayor

ATTEST:

Cheryl Salyers, Deputy City Clerk

I, Cheryl Salyers, Deputy City Clerk of the City of Newton, Iowa, do hereby certify that the foregoing Ordinance was passed and approved by the City Council of the City of Newton, Iowa on the ____ day of _____, 20__ and was published in the Newton Daily News, a newspaper of general circulation in the said City of Newton on the ____ day of _____, 20__.

Dated this ____ day of _____, 20__.

Cheryl Salyers, Deputy City Clerk

City of Newton Council Report



Item: 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 the street parking along portions of N 11th Avenue E.

Summary: To restrict street parking for safety purposes and accommodate current use.

Financial Impact: none

Report Number: 16-284

Date: December 19, 2016

Lead Department: Public Works Department

Recommendation: Approve

Background:

Between E 8th Street N and E 19th Street N, N 11th Avenue E is a 31 foot wide collector street that is also a truck route. A 31-foot wide collector street can accommodate parking one side only. Letters describing the following changes have been sent to the adjacent property owners along N 11th Ave E.

Parking on the north side of N 11th Avenue E between E 8th Street and E 19th Street:

Currently the City code does not allow parking on the north side of N 11th Avenue E between E 12th Street N and 341 feet east of E 19th Street N. The Traffic Safety Committee recommends adding "No Parking" on the north side of N 11th Avenue E between E 8th Street N and E 12th Street N.

Parking on the south side N 11th Avenue E near E 8th Street:

There is a concern of trucks southbound on E 8th Street N and turning east onto N 11th Avenue E. This intersection is at an angle due to the railroad tracks and creates a tight turn if there are vehicles parked on the south side of N 11th Avenue E. The Traffic Safety Committee recommends restricting parking on the south side of N 11th Avenue E from E 8th Street east to the driveway of Fitzgerald Siding (a distance of 170 feet).

Parking on the south side of N 11th Avenue E between E 12th Street and E 19th Street:

The City code does not allow parking on the south side of N 11th Avenue E between E 12th Street and E 19th Street. Currently there are not any "No Parking" signs on the south side of N 11th Avenue E between E 12th Street and E 19th Street. Vehicles frequently park on the south side in 1500 block of N 11th Avenue E, in front of a large apartment complex. The Traffic Safety Committee recommends allowing parking on the south side of N 11th Avenue E from 80 feet east of the projected east curb line of E 14th Street N to E 19th Street N.

"No Parking" signs will be installed per the existing code on the south side of N 11th Avenue E between E 12th Street N and 80 feet east of E 14th Street N. This section of street has commercial warehousing and light industrial business that utilize the full street width to maneuver semi-trailers in and out of driveways.

Recommendation:

Staff recommends approval of the ordinance amendment to change parking along N 11th Avenue E.

A handwritten signature in black ink, appearing to read "Jarrod Wellik". The signature is written in a cursive, flowing style.

Jarrod Wellik
Interim City Administrator

Attachment

ORDINANCE NO. _____

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 THE STREET PARKING ON PORTIONS OF NORTH 11TH AVENUE EAST.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEWTON, IOWA:

Section 1. The Code of Ordinances, City of Newton, Iowa, 2016, Title VII, Chapter 70, Section 70.15, "Traffic and Parking Schedules Adopted by Reference" is hereby amended by adding or ~~deleting~~ the following:

NO PARKING ZONES. No one shall stop, stand or park a vehicle in any of the following specifically designated no parking zones except when necessary to avoid conflict with other traffic or in compliance with the direction of a peace officer or traffic control signal.

AVENUES, NORTHEAST QUADRANT

North Eleventh Avenue East.

"No Parking Anytime".

North side from East ~~Twelfth~~ Eighth Street North to 341 feet east of the east curb line of East Nineteenth Street North.

South side from East Eighth Street North to 170 feet east of the east curb line of East Eighth Street North.

South side from East Twelfth Street North to 80 feet east of the projected east curb line of East Fourteenth Street North.

South side from East ~~Twelfth~~ Nineteenth Street North to 140 feet east of the east curb line of East Nineteenth Street North.

Section 2. Repealer Clause. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 3. Severability Clause. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 4. Effective. This ordinance shall be effective on _____, 20__, after the final passage, approval and publication as provided by law.

PASSED this ____ day of _____, 20__.

APPROVED this ____ day of _____, 20__.

(SEAL)

Michael L. Hansen, Mayor

ATTEST:

Cheryl Salyers, Deputy City Clerk

I, Cheryl Salyers, Deputy City Clerk of the City of Newton, Iowa, do hereby certify that the foregoing Ordinance was passed and approved by the City Council of the City of Newton, Iowa on the ____ day of _____, 20__ and was published in the Newton Daily News, a newspaper of general circulation in the said City of Newton on the ____ day of _____, 20__.

Dated this ____ day of _____, 20__.

Cheryl Salyers, Deputy City Clerk

City of Newton Council Report



Item: Ordinance amending the Code of Ordinances, City of Newton, Iowa, 2016, Title VII, Chapter 70, Section 70.15, "Traffic and Parking Schedules Adopted by Code Reference" by adding and removing stops signs along E 4th Street N.

Report Number: 16-285

Date: December 19, 2016

Summary: Install and remove stops signs to improve safety and to improve the flow of traffic.

Lead Department: Public Works Department

Recommendation: Approve

Financial Impact: Minimal

Background:

A citizen requested that the intersection of E 4th St N and N 4th Ave E be a 4-way stop. Both E 4th St N and N 4th Ave E are collector streets. Currently the intersection of E 4th St N and N 4th Ave E and the intersection of E 4th St N and N 2nd Ave E are 2-way stops, where the eastbound and westbound traffic stop. The intersection of E 4th St N and N 3rd Ave E is a 4-way stop.

Staff obtained traffic counts for the E 4th St N intersections from 1st Ave E to N 4th Ave E. The traffic counts reveal that 2,850 to 4,230 vehicles per daily (vpd) travel on E 4th St N. The east-west traffic ranges from 760 vpd on S 2nd Ave E to 2,500 vpd on N 4th Ave E.

The 4-way stop at N 3rd Ave E was the result of this avenue being a busier street used by employees working at the former Maytag Corporation. Current traffic counts reveal that there are 2,500 vpd on N 4th Ave E compared to 1,780 vpd on N 3rd Ave E.

The Traffic Safety Committee reviewed the request and recommends that the intersection of N 4th Ave E and E 4th St N be a 4-way stop. The committee also recommends that the intersection of N 3rd Ave E and E 4th St N be a 2-way stop, where eastbound and westbound traffic stop. Traffic flows better on the collector streets where stop conditions are spaced several blocks apart. The proposed change would provide better traffic flow and increase the safety of the traveling public.

Recommendation:

City Staff recommends approval of the Ordinance amendment to change stop signs along E 4th St N.

A handwritten signature in black ink, appearing to read "Jarrod Wellik".

Jarrod Wellik
Interim City Administrator

ORDINANCE NO. _____

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" BY ADDING AND REMOVING STOP SIGNS ALONG E 4TH STREET N.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEWTON, IOWA:

Section 1. The Code of Ordinances, City of Newton, Iowa, 2016, Title VII, Chapter 70, Section 70.15 "Traffic and Parking Schedules Adopted by Reference" is hereby amended by adding or ~~deleting~~ the following:

SPECIAL STOPS REQUIRED. Every driver of a vehicle shall stop and yield in accordance with the following:

STREETS, NORTHEAST QUADRANT

East Fourth Street North. Vehicles traveling on East Fourth Street North shall stop at the following street intersections.

~~North Third Avenue East.~~

North Fourth Avenue East.

~~North Eighth Avenue East, northbound only.~~

Section 2. Repealer Clause. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 3. Severability Clause. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 4. Effective. This ordinance shall be effective on _____, 20__, after the final passage, approval and publication as provided by law.

PASSED this ____ day of _____, 20__.

APPROVED this ____ day of _____, 20__.

Michael L. Hansen, Mayor

ATTEST:

Katrina Davis, City Clerk

I, Katrina Davis, City Clerk of the City of Newton, Iowa, do hereby certify that the foregoing Ordinance was passed and approved by the City Council of the City of Newton, Iowa on the ____ day of _____, 20__ and was published in the Newton Daily News, a newspaper of general circulation in the said City of Newton on the ____ day of _____, 20__.

Dated this ____ day of _____, 20__.

City of Newton Council Report



Item: Ordinance amending the Code of Ordinances, City of Newton, Iowa, 2016, Title VII, Chapter 70, Section 70.15, "Traffic and Parking Schedules Adopted by Code Reference" by adding stops signs at various locations.

Summary: Install stops signs to improve safety at uncontrolled intersections.

Financial Impact: Minimal

Report Number: 16-286

Date: December 19, 2016

Lead Department: Public Works Department

Recommendation: Approve

Background:

As part of the Safe Community Goal, the traffic safety committee looked at all the uncontrolled intersections located in an area bound on the west by 1st Street N, on the east and north by City limits and on the south by 1st Avenue E. There are a total of 15 uncontrolled intersections in this area where the street should have a stop condition. The traffic Safety Committee recommends that stops signs be added at the following uncontrolled intersections:

Streets:

- E 5th St N at N 2nd Ave E – Currently there are yield signs for northbound and southbound traffic on E 5th St N. Replace the yield signs with stop signs.
- E 6th St N at N 4th Ave E – This is an uncontrolled "T" intersection. Add a stop sign for southbound traffic on E 6th St N.
- E 6th St N at N 9th Ave E – This is an uncontrolled intersection. Add a stop sign for northbound and southbound traffic on E 6th St N.
- E 6th St N at N 11th Ave E – This is an uncontrolled "T" intersection. Add a stop sign for northbound traffic on E 6th St N.
- E 7th St N at N 11th Ave E – This is an uncontrolled "T" intersection. Add a stop sign for northbound traffic on E 7th St N.
- E 9th St N at N 9th Ave E – This is an uncontrolled intersection. Add a stop sign for northbound and southbound traffic on E 9th St N.
- E 9th St N at N 10th Ave E – This is an uncontrolled intersection. Add a stop sign for northbound and southbound traffic on E 9th St N.
- E 10th St N at N 9th Ave E – This is an uncontrolled intersection. Add a stop sign for northbound and southbound traffic on E 10th St N.
- E 10th St N at N 10th Ave E – This is an uncontrolled intersection. Add a stop sign for northbound and southbound traffic on E 10th St N.
- E 15th St N at N 6th Ave E – This is an uncontrolled "T" intersection. Add a stop sign for southbound traffic on E 15th St N.

- E 17th St PI N at N 2nd Ave E – This is an uncontrolled “T” intersection. Add a stop sign for southbound traffic on E 17th St PI N.
- E 17th St PI N at E 18th Street N – This is an uncontrolled “T” intersection. Add a stop sign for traffic on E 17th St PI N.
- E 21st St N at N 2nd Ave E – This is an uncontrolled “T” intersection. Add a stop sign for southbound traffic on E 21st St N.
- E 24th St N at N 2nd Ave E – This is an uncontrolled “T” intersection. Add a stop sign for southbound traffic on E 24th St N.
- E 25th St N at N 6th Ave E – This is an uncontrolled “T” intersection. Add a stop sign for northbound traffic on E 25th St N.

Recommendation:

City Staff recommends approval of the Ordinance amendment for stop signs to be added at various intersections to improve the safety of our residents.



Jarrod Wellik
Interim City Administrator

Attachments

ORDINANCE NO. _____

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" BY ADDING STOP SIGNS AT VARIOUS LOCATIONS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEWTON, IOWA:

Section 1. The Code of Ordinances, City of Newton, Iowa, 2016, Title VII, Chapter 70, Section 70.15 "Traffic and Parking Schedules Adopted by Reference" is hereby amended by adding or ~~deleting~~ the following:

SPECIAL STOPS REQUIRED. Every driver of a vehicle shall stop and yield in accordance with the following:

STREETS, NORTHEAST QUADRANT

East Fifth Street North. Vehicles traveling on East Fifth Street North shall stop at the following intersections.

- North Second Avenue East.
- North Third Avenue East.
- North Fourth Avenue East.
- North Sixth Avenue East.
- North Nineteenth Avenue East.
- North Eighth Avenue East.

East Sixth Street North. Vehicles traveling on East Sixth Street North shall stop at the following street intersections.

- North Fourth Avenue East.
- North Sixth Avenue East.
- North Eighth Avenue East.
- North Ninth Avenue East.
- North Eleventh Avenue East.
- Interstate, f/k/a Heartland, Railroad Tracks.

East Seventh Street North. Vehicles traveling on East Seventh Street North shall stop at the following street intersections.

- North Second Avenue East.
- North Third Avenue East.
- North Fourth Avenue East.
- North Sixth Avenue East.
- North Eighth Avenue East.
- North Eleventh Avenue East.

East Ninth Street North. Vehicles traveling on East Ninth Street North shall stop at the following street intersections.

- North Third Avenue East. [Ord. 2231 Eff. 05/09/2014]
- North Fourth Avenue East. [Ord. 2231 Eff. 05/09/2014]
- North Sixth Avenue East. [Ord. 2231 Eff. 05/09/2014]
- North Eighth Avenue East. [Ord. 2231 Eff. 05/09/2014]
- North Ninth Avenue East.
- North Tenth Avenue East.
- North Eleventh Avenue East. [Ord. 2231 Eff. 05/09/2014]

East Tenth Street North. Vehicles traveling on East Tenth Street North shall stop at the following intersections.

- North Third Avenue East. [Ord. 2231 Eff. 05/09/2014]
- North Fourth Avenue East.
- North Eighth Avenue East.
- North Ninth Avenue East.
- North Tenth Avenue East.
- North Eleventh Avenue East. [Ord. 2231 Eff. 05/09/2014]

East Fifteenth Street North. Vehicles traveling on East Fifteenth Street North shall stop at the following street intersections.

- North Fourth Avenue East, ~~Northbound only.~~
- North Sixth Avenue East.
- North Eighth Avenue East.

East Seventeenth Street Place North. Vehicles traveling on East Seventeenth Street Place North shall stop at the following street intersections.

- North Second Avenue East.
- East Eighteenth Street North.

East Twenty-first Street North. Vehicles traveling on East Twenty-first Street North shall stop at the following street intersections.

- North Second Avenue East.
- North Fourth Avenue East, ~~Southbound only.~~
- North Fifth Avenue East, ~~Northbound only.~~

East Twenty-fourth Street North. Vehicles traveling on East Twenty-fourth Street North shall stop at the following street intersections.

- North Second Avenue East.
- North Fourth Avenue East, ~~Northbound only.~~

East Twenty-fifth Street North. Vehicles traveling on East Twenty-fifth Street North shall stop at the following street intersections.

- North Fourth Avenue East.

North Sixth Avenue East.

SPECIAL YIELD REQUIRED. Every driver of a vehicle shall yield in accordance with the following:

~~East Fifth Street North. Vehicles traveling on East Fifth Street North shall yield at the following street intersections.~~

~~North Second Avenue East.~~

Section 2. Repealer Clause. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 3. Severability Clause. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 4. Effective. This ordinance shall be effective on _____, 20__, after the final passage, approval and publication as provided by law.

PASSED this ____ day of _____, 20__.

APPROVED this ____ day of _____, 20__.

Michael L. Hansen, Mayor

ATTEST:

Katrina Davis, City Clerk

I, Katrina Davis, City Clerk of the City of Newton, Iowa, do hereby certify that the foregoing Ordinance was passed and approved by the City Council of the City of Newton, Iowa on the ____ day of _____, 20__ and was published in the Newton Daily News, a newspaper of general circulation in the said City of Newton on the ____ day of _____, 20__.

Dated this ____ day of _____, 20__.

City of Newton Council Report

Item: Ordinance amending the City of Newton Code of Ordinances, Title IX, Chapter 94, Section 94.02(C)(4) Garbage, Trash and the like.

Summary: The ordinance amendment adds language that the City may require the installation of a permanent trash enclosure at multi-family & commercial properties that have had on-going trash/garbage issues.

Financial Impact: No Cost



Report Number: 16-287

Date: December 19, 2016

Lead Department: Planning & Zoning Department

Recommendation:
Approve

Background: The ordinance amendment adds additional flexibility by including new language that states that the City may require that a multi-family or commercial property to install a permanent trash enclosure that has been cited or abated for trash or garbage three times within a 12-month period.

The new language (underlined) in the ordinance is as follows, with the full section provided for context:

(4) *Garbage, trash and the like.* The depositing of, maintaining, permitting or failing to remove, garbage, trash, rubbish, bottles, cans or other refuse outside of a building on any property within the city, including large quantities of organic debris and materials, which accumulated by other than natural means, except neatly maintained compost piles. Outside of a building includes unenclosed decks and porches;

(a) *Trash Enclosure for Multi-family and Commercial Buildings.* When a multi-family dwelling (3 or more units) or a commercial building property has been cited or has been abated by the City 3 or more times within a 12 (twelve) month period for garbage and trash violations, the City may require the property owner to erect a permanent, screening, enclosure surrounding any exterior trash receptacles or trash gathering space, in addition to any other remedies or penalties enumerated in this chapter.

Recommendation:

City Staff recommends approval.

A handwritten signature in black ink, appearing to read "Jarrod Wellik".

Jarrod Wellik
Interim City Administrator

Attachment

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CITY OF NEWTON CODE OF ORDINANCES, TITLE IX, CHAPTER 94, SECTION 94.02(C)(4) GARBAGE, TRASH AND THE LIKE.

WHEREAS, the Title IX, Chapter 94 of the Newton Code of Ordinances addresses the enforcement of nuisance regulations;

WHEREAS, the proper disposal and storage of garbage outside of a building impacts neighborhoods and districts and is, thus, regulated by Title IX, Chapter 94 of the City of Newton Code of Ordinances;

WHEREAS, the ordinance amendment provides an additional remedy that would be available to the City for addressing and correcting on-going garbage and trash issues at multi-family and commercial property in Newton;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEWTON, IOWA:

Section 1.

Title IX, Chapter 94, Section 94.02(C)(4) is hereby amended adding underlined text below:

(a) Trash Enclosure for Multi-family and Commercial Buildings. When a multi-family dwelling (3 or more units) or a commercial building property has been cited or has been abated by the City 3 or more times within a 12 (twelve) month period for garbage and trash violations, the City may require the property owner to erect a permanent, screening, enclosure surrounding any exterior trash receptacles or trash gathering space, in addition to any other remedies or penalties enumerated in this chapter.

Section 2. Repealer Clause. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 3. Severability Clause. If any section, provision or part of this Ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 4. Effective. This ordinance shall be effective on _____, 2017, after the final passage, approval and publication as provided by law.

PASSED this ____ day of _____, 2017.

APPROVED this ____ day of _____, 2017.

(SEAL)

Michael L. Hansen, Mayor

ATTEST:

Katrina Davis, City Clerk

I, Katrina Davis, City Clerk of the City of Newton, Iowa, do hereby certify that the foregoing Ordinance was passed and approved by the City Council of the City of Newton, Iowa on the ____ day of _____, 2017 and was published in the Newton Daily News, a newspaper of general circulation in the said City of Newton on the ____ day of _____, 2017.

Dated this ____ day of _____, 2017.

Katrina Davis, City Clerk

City of Newton Council Report

Item: Resolution awarding contract for the Demolition 2017-01 Project.

Summary: Award of contract to complete asbestos abatement & demolition work at 512 1st Ave E and 917 1st Ave W.

Financial Impact: \$28,988.00 from the Dangerous and Dilapidated (D&D) Building Program funds.



Report Number: 17-4

Date: January 3, 2017

Lead Department: Public Works

Recommendation: Approve

Background:

Curb appeal continues to be a focus of the City per the recommendations of the adopted comprehensive plan, Newton's Future. Abating dangerous buildings within the City is one way to improve the aesthetics of Newton neighborhoods.

The City acquired 512 1st Ave E and 917 1st Ave W with the intent to demolish the structures on these properties through the Dangerous and Dilapidated Program. The Public Works Department prepared plans and specifications for the proposed Demolition 2017-01 Project that included asbestos abatement and demolition at both properties. The following bids were opened on December 22, 2016:

Lanphier Excavating LLC – Reasnor, Iowa	\$ 28,988.00
Con-Struct, Inc. – Marshalltown, Iowa	\$ 37,072.00
Howe Excavating – Newton, Iowa	\$ 38,541.00
S & F Underground - Slater, Iowa	\$ 49,560.00
Elder Corporation – Des Moines, Iowa	\$ 56,000.00
Iowa Demolition, Inc. – Des Moines, Iowa	\$ 64,445.00
Van Ryswyk Plumbing & Heating – Monroe, Iowa	\$ 73,650.00
J. Pettiecord, Inc. – Des Moines, Iowa	\$ 73,710.00
Strand Excavating, Inc. - Grinnell, Iowa	\$ 97,399.72

The apparent low bidder is Lanphier Excavating LLC of Reasnor, Iowa. The Engineer's estimate for this project was \$31,800.00. The completion date of the project is April 15, 2017. Dangerous and Dilapidated (D&D) Building Program funds will be used to pay the \$28,988.00 of abatement and demolition work at both properties.

Recommendation:

City Staff recommends that Council award the project to Lanphier Excavating LLC of Reasnor, Iowa in the amount of \$28,988.00.

A handwritten signature in black ink, appearing to read "Jarrod Wellik". The signature is fluid and cursive, with the first name "Jarrod" and last name "Wellik" clearly distinguishable.

Jarrod Wellik
Interim City Administrator

Attachment

RESOLUTION NO. 2017-_____

**RESOLUTION AWARDING CONTRACT
FOR THE DEMOLITION 2017-01 PROJECT**

WHEREAS, the City of Newton acquired 512 1st Ave E and 917 1st Ave W with the intent to demolish the structures on these properties through the Dangerous and Dilapidated Program; and

WHEREAS, the City of Newton Public Works Department prepared asbestos abatement and demolition plans and specifications for the Demolition 2017-01 Project, and put said project out to bid; and

WHEREAS, City staff recommends that the City of Newton award a contract to Lanphier Excavating LLC of Reasnor, Iowa for the Demolition 2017-01 Project based on the low responsive, responsible bid received in the amount of \$28,988.00.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of Newton, Iowa, that the bid of Lanphier Excavating LLC of Reasnor, Iowa, in the amount of Twenty-Eight Thousand Nine Hundred Eighty-Eight Dollars and Zero Cents (\$28,988.00) for the Demolition 2017-01 Project, all as described in the plans and specifications, is hereby accepted, the same being the lowest, responsive bid received for said project.

BE IT FURTHER RESOLVED, by the City Council of the City of Newton, Iowa, that the Contract and Bond executed by Lanphier Excavating LLC of Reasnor, Iowa for the Demolition 2017-01 Project as described by the plans and specifications filed in the office of the City Clerk, said contract to be signed by the Mayor and City Clerk on behalf of the City, be and the same are hereby approved. The City shall utilize the Dangerous and Dilapidated Building Program funds to pay for the abatement and demolition work at both properties.

PASSED this 3rd day of January 2017.

APPROVED this _____ day of January 2017.

Michael L. Hansen, Mayor

ATTEST:

Cheryl Salyers, Deputy City Clerk

City of Newton Council Report

Item: Resolution approving the elimination of the positions of Park Administration Superintendent, Parks Operations Superintendent, and Cemetery Superintendent; and the creation of the positions of Parks Superintendent and Parks Assistant Superintendent.

Summary: Improve the organizational structure of the Park Division.

Financial Impact: Minimal.



Report Number: 17-5

Date: January 3, 2017

Lead Department: Public Works Department

Recommendation: Approve

Background:

Currently the Parks Division has 4 full-time superintendent positions, 4.6 full-time non-supervisory positions, and 1 contracted employee for a total of 9.6 full-time employees (FTE). In addition to the 9.6 FTE, there are many part-time seasonal workers (refer to the current Public Works Organizational Chart, effective July 2016).

The Parks Operations Superintendent retired on November 30, 2016 and the Cemetery Superintendent plans to retire on January 3, 2017. The positions of Parks Operations Superintendent and Cemetery Superintendent are working supervisory positions where the superintendent spends considerable time working alongside the supervised worker. The future organizational structure of the division will be moving towards having supervisors spend more time directing work, scheduling projects, meeting recreational program needs, and coordinating improvements in the park system. This will be accomplished by having fewer supervisors at a slightly high pay range on the City pay matrix who spend most of their time performing superintendent duties.

Staff proposes to eliminate 3 superintendent positions, create 2 new superintendent positions and have one non-supervisory position to be filled at a later date (refer to the Public Works Organizational Chart, proposed January 2017). Staff recommends eliminating positions of Park Administration Superintendent, Parks Operations Superintendent, and Cemetery Superintendent. These positions are currently at pay range 7 on the City pay matrix. Staff recommends replacing these 3 superintendent positions with a Parks Superintendent position at pay range 10 and a Parks Assistant Superintendent position at pay range 8 (refer to attached job descriptions). These position titles and pay ranges are in alignment with the other division of Public Works and provide a path for career progression within the division.

The City is currently doing a LEAN process regarding cemetery public interaction and paperwork. The staffing needs of the division will be evaluated after completion of the LEAN process of cemetery work and hiring a new park superintendent. At his time, it is anticipated that the either the Park Secretary hours will increase or a Groundskeeper will be hired. The

Park Secretary is at pay range 3 on the City pay matrix and the Groundskeeper is on the Teamsters Union wage schedule which is similar to pay range 3 on the City pay matrix. A general fund savings of about \$23,000 would be realized by implementing the proposed organizational changes in the Park Division.

The Park Board voted in favor of the proposed changes. The Employee Relations Committee met and approved these changes on December 5, 2016. Staff recommends that the proposed changes be effective January 4, 2017.

If approved, the current Park Administration Superintendent will be promoted to Parks Assistant Superintendent effective January 4, 2017 and the position of Parks Superintendent will be advertised.

Recommendation:

City staff recommends approval the attached Resolution.

A handwritten signature in black ink, appearing to read "Jarrod Wellik". The signature is fluid and cursive, with the first name being the most prominent.

Jarrod Wellik
Interim City Administrator

Attachment

RESOLUTION NO. 2017 – _____

RESOLUTION APPROVING THE ELIMINATION OF THE POSITIONS OF PARK ADMINISTRATION SUPERINTENDENT, PARKS OPERATIONS SUPERINTENDENT, AND CEMETERY SUPERINTENDENT; AND THE CREATION THE POSITIONS OF PARKS SUPERINTENDENT AND PARKS ASSISTANT SUPERINTENDENT

WHEREAS, the Parks Division currently has 4 full-time supervisor positions, 4.6 full-time non-supervisory positions, 1 contracted employee and many part-time seasonal workers; and

WHEREAS, to improve the organization structure of the Parks Division there is a need for less supervisors and more worker positions, and

WHEREAS, the positions of Parks Operations Superintendent and Cemetery Superintendent have been working supervisory positions where the superintendent spent considerable time working alongside the supervised worker; and

WHEREAS, creating positions of Parks Superintendent and Parks Assistant Superintendent and eliminating positions of Park Administration Superintendent, Parks Operations Superintendent, and Cemetery Superintendent would provide a higher level of directed work activities in the Parks Division; and

WHEREAS, the elimination of 3 superintendent positions and the creation of 2 new superintendent positions would allow either an increase in the hours of the Park Secretary position or hiring a Groundskeeper; and

WHEREAS, the staffing needs of more secretary hours or a groundskeeper would be evaluated after hiring a new superintendent.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Newton, Iowa that the positions of Park Administration Superintendent, Parks Operations Superintendent, and the Cemetery Superintendent be eliminated.

BE IT FURTHER RESOLVED that new positions of Parks Superintendent and Parks Assistant Superintendent be created.

PASSED this 3rd day of January, 2017.

APPROVED this _____ day of January, 2017.

Michael L. Hansen, Mayor

ATTEST:

Cheryl Salyers, Deputy City Clerk

JOB DESCRIPTION - CITY OF NEWTON

TITLE: Parks Superintendent	PAY RANGE: 10
DEPARTMENT: Park CIVIL SERVICE: No	UNION: No FLSA: Exempt
APPROVAL:	
_____	DATE:
DEPARTMENT DIRECTOR	_____
_____	DATE:
CITY ADMINISTRATOR	LAST UPDATE:

PURPOSE: Under the direction of the Public Works Director, supervises the administration, operation and maintenance of the Parks Division which includes direct oversight of the City park system, Westwood Golf Course, Maytag Pool, and park recreational activities. Exercises overall supervision of employees, and the allocation of employees and equipment in the Parks Division.

RESPONSIBILITIES INCLUDE BUT ARE NOT LIMITED TO THE FOLLOWING:

- Exercise direct authority over all Parks Division functions; develop long range plans; set goals and objectives; write policies and procedures; coordinate data and prepare reports; prepare and manage division budgets.
- Analyze and evaluate operation and maintenance functions; initiate or recommend new or improved practices; develop plans and procedures to ensure efficient operation and maintenance; make recommendations on staffing levels and capital equipment purchases.
- Coordinate projects; ensure crews have the required materials and equipment; ensure staff are trained for safety and operational requirements, and ensures that all park maintenance tools and equipment are properly maintained.
- Supervise employees including: make hiring and termination recommendations, conduct performance evaluations, schedule work teams and assignments, and approve time-off.
- Ensure required records and logs are maintained and division website information is current.
- Maintain effective communications and working relationships with Public Works Director, Assistant Parks Superintendent, Public Works Superintendents, employees, local, state and federal government officials, and the public.
- Resolve issues with the public, contractors, and other developers by investigating and responding to concerns and complaints.
- Operate a variety of power, construction and maintenance equipment for training purposes and during emergency situations.
- May work nights, evenings or weekends when inclement weather, emergencies, or other situations require working these hours; will be available to respond in emergencies or unusual situations outside of the normally assigned work period.
- Attends monthly Park Board meetings and performs secretarial duties at the meetings.
- Other duties as assigned from time to time.

QUALIFICATIONS:

Knowledge and Professional Certification: Requires an Associate's Degree in Recreation Management, Turfgrass Management, Commercial Horticulture, Forestry or related field; or up to and including two years of college or post-secondary education in related field. Bachelor's degree in one of these, or related field, preferred. Extensive knowledge of the materials, equipment and methods used in maintaining and repairing grounds, plants, buildings, paths and other facilities associated with the parks system. Extensive knowledge of the potential hazards and necessary precautionary measures to prevent injuries to patrons and employees; extensive knowledge of the use, care and maintenance of all equipment and tools needed to perform duties; extensive knowledge of the principles and practices of horticulture and plant care. Knowledge of the proper use and application of herbicides, insecticides, fungicides and fertilizer and their effect on people and the environment. Knowledge of, or experience in, grant writing, inter-governmental relations, budgeting, principles of supervision and management. Possession of a valid Iowa Certified Pesticide Applicators License.

MINIMUM JOB RELATED EXPERIENCE:

Requires more than four years of prior related experience.

SUPERVISORY RESPONSIBILITY:

Requires supervision, direction and coordination of the operations of a unit or function of sufficient size to normally require the use of subordinate supervisors.

HUMAN RELATIONS:

Requires frequent contacts with the public and employees in other departments to solve problems using considerable judgment, enforce ordinances, coordinate work, negotiate, and influence and obtain cooperation of other people.

RESPONSIBILITY:

Accountable for work of multiple units or results of a process or project having a major impact on output of city services or employee or public satisfaction. Errors may cause major cost problems, lack of coordination effort, work delays, or bad decisions. May have important effects on the public.

COMPLEXITY, GUIDANCE AND JUDGMENT:

Work requires analysis and judgment in accomplishing diversified duties. Plans and performs work where only general methods are available. Receives limited guidance, i.e., policies and procedures are applicable in general terms. Work is guided by administrative routine, established soundness of judgment and overall adequacy within the limits of policies, standards and precedents

CONFIDENTIALITY:

Works with materials or information such as departmental personnel records that have a confidential nature.

WORKING CONDITIONS:

Physical and Environmental Demands:

Disagreeable working conditions. Exposed to any number of elements (heat, cold, noise, inclement weather, occupational hazards, etc.) with several continuously present to the extent of being objectionable.

Mental and Visual Demands:

Requires mental and visual attention that must be maintained for sustained periods. Continuous attention to detail and/or pressure to meet deadlines.

Additional Requirements: For those tasks where a city vehicle is used, individual must be physically capable of operating the vehicle safely, possess a valid Iowa operator's license and have an acceptable driving record.

JOB DESCRIPTION - CITY OF NEWTON

TITLE: Parks Assistant Superintendent		PAY RANGE: 8	
DEPARTMENT: Park		UNION: No	
CIVIL SERVICE: No		FLSA: Exempt	
APPROVAL:			
_____		DATE:	
DEPARTMENT DIRECTOR		_____	
_____		DATE:	
CITY ADMINISTRATOR		LAST UPDATE:	

PURPOSE: Under the supervision of the Parks Superintendent, supervises, controls and manages the operation and maintenance of the Parks Division which includes the City park system, Westwood Golf Course, Maytag Pool, and park recreational activities.

RESPONSIBILITIES INCLUDE BUT ARE NOT LIMITED TO THE FOLLOWING:

- Helps the Parks Superintendent to develop long range plans; set goals and objectives; write policies and procedures; coordinate data and prepare reports; prepare and manage division budgets.
- Analyze and evaluate operation and maintenance functions; initiate or recommend new or improved practices; develop plans and procedures to ensure efficient operation and maintenance; make recommendations on staffing levels and capital equipment purchases.
- Coordinate projects; ensure crews have the required materials and equipment; ensure staff are trained for safety and operational requirements, and ensures that all park maintenance tools and equipment are properly maintained.
- Supervise employees including schedule work teams and assignments.
- Ensure required records and logs are maintained and division website information is current.
- Maintain effective communications and working relationships with the Parks Superintendent, Public Works Superintendents, employees, and the public.
- Resolve issues with the public, contractors, and other developers by investigating and responding to concerns and complaints.
- Perform duties of the Parks Superintendent in his/her absence.
- Operate a variety of power, construction and maintenance equipment for training purposes and during emergency situations.
- May work nights, evenings or weekends when inclement weather, emergencies, or other situations require working these hours; will be available to respond in emergencies or unusual situations outside of the normally assigned work period.
- Assist with snow removal operations on City property and right-of-way as necessary.
- Other duties as assigned from time to time.

QUALIFICATIONS:

Knowledge and Professional Certification: Requires an Associate's Degree in Recreation Management, Turfgrass Management, Commercial Horticulture, Forestry or related field; or up to and including two years of college or post-secondary education in related field; or equivalent work experience knowledge. Extensive knowledge of the materials, equipment and methods used in maintaining and repairing grounds, plants, buildings, paths and other facilities associated with the parks system. Extensive knowledge of the potential hazards and necessary precautionary measures to prevent injuries to patrons and employees; extensive knowledge of the use, care and maintenance of all equipment and tools needed to perform duties; extensive knowledge of the principles and practices of horticulture and plant care. Knowledge of the proper use and application of herbicides, insecticides, fungicides and fertilizer and their effect on people and the environment. Knowledge of, or experience in principles of supervision and management. Possession of a valid Iowa Certified Pesticide Applicators License.

MINIMUM JOB RELATED EXPERIENCE:

Requires more than four years of prior related experience.

SUPERVISORY RESPONSIBILITY: Requires immediate and/or direct supervision of a function or activity including prioritizing, directing, organizing and/or controlling the work of assigned employees. Counsels employees on job performance and may have input into hiring and/or disciplinary decisions.

HUMAN RELATIONS:

Requires contacts with the public, employees, and other departments to give advice, enforce ordinances, interview and coordinate work.

RESPONSIBILITY:

Accountable for the work of immediate unit, significant outlay of dollars, equipment or supplies, or results of a process or project having a significant impact. Errors may cause inaccuracies; unnecessary costs could be difficult to discover.

COMPLEXITY, GUIDANCE AND JUDGMENT:

Work requires analysis and judgment in accomplishing diversified duties. Plans and performs work where only general methods are available. Receives limited guidance, i.e., policies and procedures are applicable in general terms. Work is guided by administrative routine, established soundness of judgment and overall adequacy within the limits of policies, standards and precedents.

CONFIDENTIALITY:

Works with materials or information such as departmental personnel records that have a confidential nature.

WORKING CONDITIONS:

Physical and Environmental Demands:

Disagreeable working conditions. Exposed to any number of elements (heat, cold, noise, inclement weather, occupational hazards, etc.) with several continuously present to the extent of being objectionable.

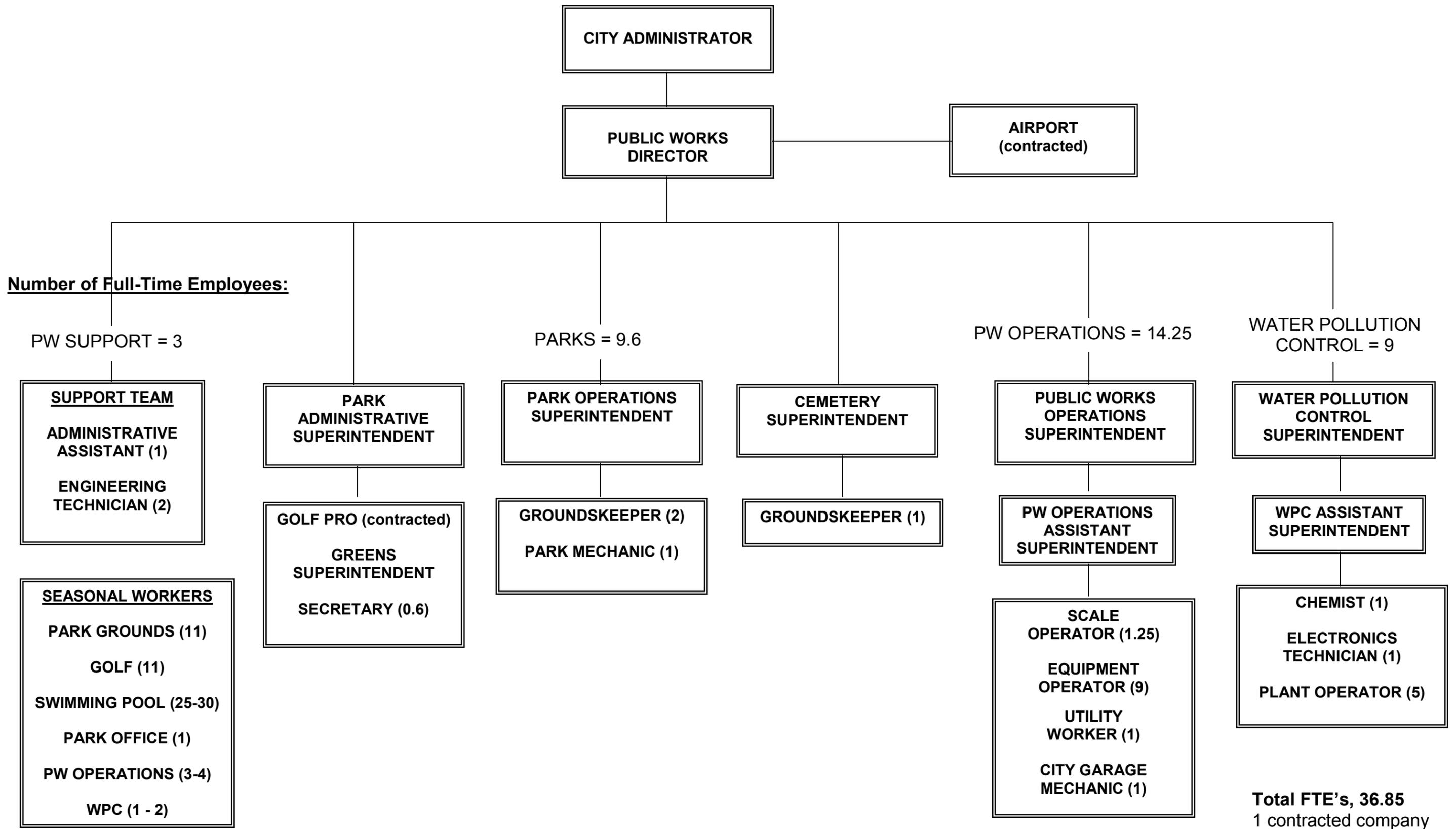
Mental and Visual Demands:

Requires mental and visual attention that must be maintained for sustained periods. Continuous attention to detail and/or pressure to meet deadlines.

Additional Requirements: For those tasks where a city vehicle is used, individual must be physically capable of operating the vehicle safely, possess a valid Iowa operator's license and have an acceptable driving record.

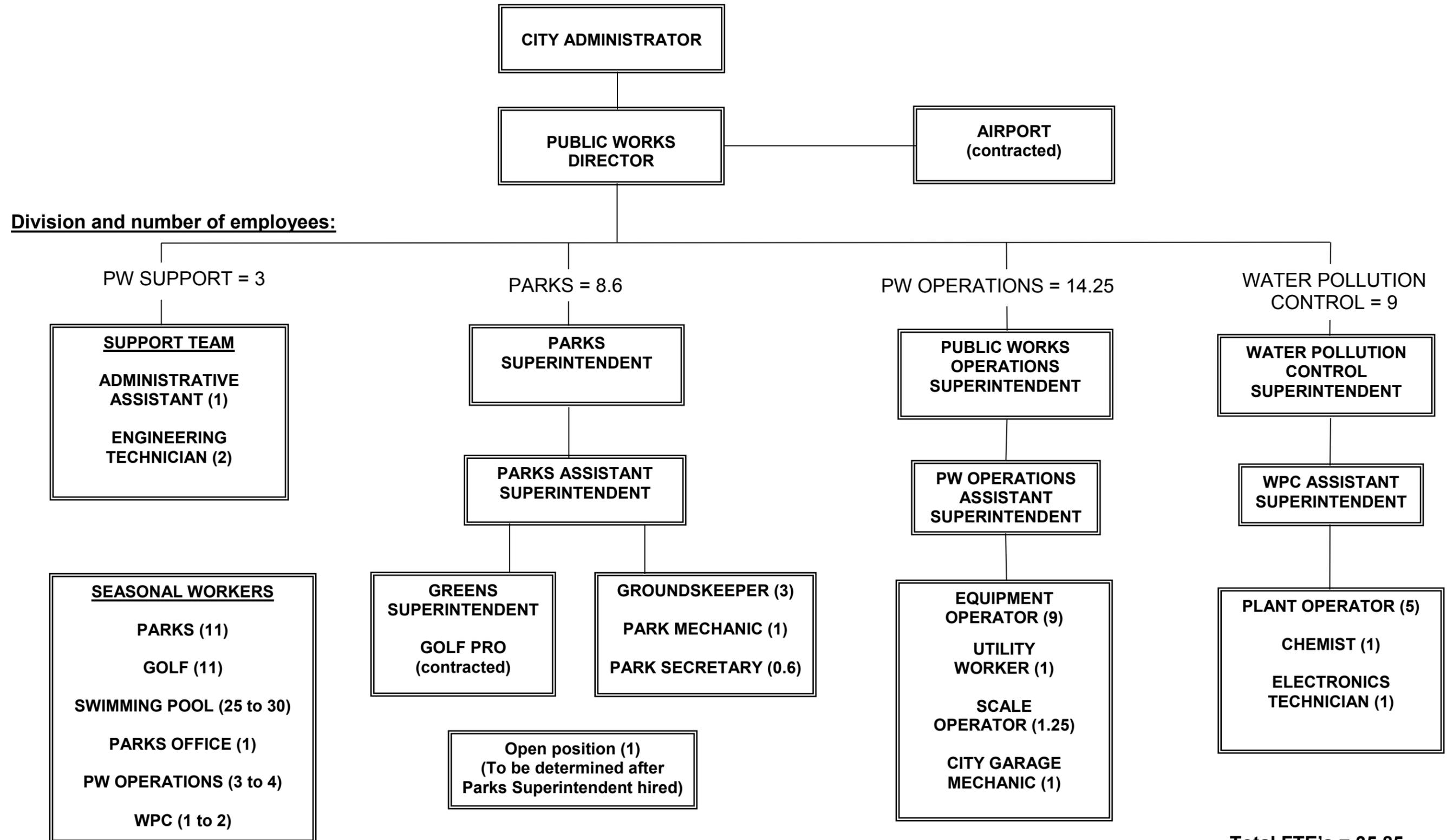
PROPOSED PUBLIC WORKS DEPARTMENT ORGANIZATION CHART

(Effective July 2016)



PUBLIC WORKS DEPARTMENT ORGANIZATION CHART

(Proposed January 4, 2017)



Total FTE's = 35.85
 1 contracted company
 1 open position