

# Agenda: Newton City Council

Special City Council Meeting  
January 22, 2018  
6:00 p.m.

City Hall Council Chambers  
101 West 4<sup>th</sup> Street South  
Newton, Iowa 50208

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|----------------------|---|
| <b>Pledge</b>        | Pledge of Allegiance  |
| <b>Call to Order</b> | Roll Call   |
| <b>Proclamation</b>  | 1. Slavery and Human Trafficking Prevention and Awareness Month   |
| <b>Consent</b>       | 2. Resolution reappointing Jack Topp to serve on the Newton Building Trades Board for a term ending December 31, 2020. (No Council Report)  |
|                      | 3. Resolution ordering bids, approving plans, specifications and form of contract and notice to bidders, and ordering clerk to publish notice and fixing a date for receiving same, and for a public hearing on plans, specifications, form of contract and estimate of costs for the Library Renovation Project. (Council Report 18-021)   |
| <b>Resolutions</b>   | 4. Resolution setting the date for a public hearing on proposal to enter into a General Obligation Urban Renewal Loan Agreement and to borrow money thereunder. (Council Report 18-022)   |
|                      | <ul style="list-style-type: none"><li>• Pursuant to Section 384.24A of the Code of Iowa, The City proposes to enter into an “Essential Purpose Loan Agreement” not to exceed \$860,000 for the purpose of paying the costs of acquiring vehicles and equipment for use by the police and fire safety departments; acquiring an ambulance; acquiring and installing fuel tanks for the municipal airport; and constructing street improvements.</li><li>• The City proposes to enter into a “Urban Renewal Loan Agreement” not to exceed \$1,100,000, pursuant to Section 384.24A and 384.24(3)(q) of the Code of Iowa, for the purpose of paying the costs of undertaking an urban renewal project in the Fairmeadows North Housing Urban Renewal Area consisting of acquiring real property and constructing public infrastructure improvements in connection with the development of a new residential housing subdivision.</li><li>• Pursuant to the provisions of Section 384.24A of the Code of Iowa. The City also proposes to enter into a “General Purpose Loan Agreement” not to exceed \$90,000 for the purpose of paying the costs of undertaking improvements to the municipal swimming pool including rehabilitation of the slide.</li><li>• Staff recommends approving the resolution to fix a date of meeting of the City Council at which it is proposed to take action to enter into the Loan Agreements and to give notice thereof as required by such law, including notice of the right to petition for an election on such proposal.</li></ul> |

## 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.



**Proclamation for Slavery and Human Trafficking  
Prevention and Awareness Month**

**Whereas**, the United States was founded upon the principle that all people are created with the unalienable right to freedom, and added the 13th Amendment to the Constitution making slavery illegal;

**Whereas** slavery within the United States today is most often found in the form of forced labor and sex trafficking, which weakens our social fabric, increases violence in organized crime, and debases our humanity;

**Whereas** this heinous crime is found within our own community;

**Whereas** the Iowa Network Against Human Trafficking has been working for 10 years to abolish all forms of human trafficking through education, volunteerism, advocacy and collaboration.

**Whereas** every business, community organization, faith community, family and individual can make a difference by choosing products that are not made by forced labor; by working to protect our young people from sexual exploitation; by addressing the problem of internet sex trafficking and pornography; and by becoming more aware of the problem and possible solutions;

**Now, Therefore**, I Michael L. Hansen Mayor of The City of Newton, Iowa, do hereby proclaim the month of February as Slavery and Human Trafficking Prevention and Awareness Month, and encourage all our citizens to become more informed on this growing problem, to be vigilant and report suspicious activity, and to work towards solutions to end trafficking in all its forms in our community. If you see something that doesn't look right, take action and call the National Human Trafficking Hotline at 888-373-7888.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the Seal of the City of Newton to be affixed.

Signed this 22nd day of January, 2018



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Michael L. Hansen, Mayor

**RESOLUTION NO. 2018-\_\_\_\_\_**

**RESOLUTION REAPPOINTING JACK TOPP TO SERVE ON THE  
NEWTON BUILDING TRADES BOARD FOR A TERM ENDING  
DECEMBER 31, 2020.**

**WHEREAS**, Jack Topp, 1101 S. 28<sup>th</sup> Avenue W., Newton, Iowa, has served on the Newton Building Trades Board and retains knowledge and experience to serve on the Board;

**WHEREAS**, Jack Topp, a licensed architect, is qualified to serve on the Building Trades Board and satisfies the requirement to have at least one Board member with expertise in building construction;

**WHEREAS**, Jack Topp's term has expired, and he has expressed an interest in continuing to serve on the Board;

**NOW THEREFORE, BE IT RESOLVED** by the City Council of the City of Newton, Iowa, that Jack Topp is hereby appointed to the Newton Building Trades Board for a term ending December 31, 2020.

**PASSED** this \_\_\_\_ day of January, 2018.

**APPROVED** this \_\_\_\_ day of January, 2018.

\_\_\_\_\_  
Michael L. Hansen, Mayor

ATTEST:

\_\_\_\_\_  
Katrina Davis  
City Clerk

## City of Newton Council Report



**Item:** Resolution ordering bids, approving plans, specifications and form of contract and notice to bidders, and ordering clerk to publish notice and fixing a date for receiving same, and for a public hearing on plans, specifications, form of contract and estimate of costs for the 2018 Newton Public Library Facility Renovations & Improvements Project.

**Summary:** Accept plans and order bids for the 2018 Newton Public Library Facility Renovations and Improvements Project.

**Financial Impact:** \$100,000.00 paid from 2017B Bonds.

**Report Number:** 18-021

**Date:** January 22<sup>nd</sup>, 2018

**Lead Department:** Library

**Recommendation:**  
Approve

### Background:

The Newton Public Library accepts 100,000+ visitors a year through their facility. This amount of foot traffic has taken its toll on the carpet and has maxed out its life at just over 25 years. The Library's wall vinyl coverings have begun to peel away from the walls creating the need to remove it, spackle, and paint the interior of the Library. The architectural firm of Studio Melee was contracted by the Newton Public Library Foundation to create specifications for a new color palette, carpet design, electrical wiring, and plans for removal of bulkheads from the Library. Those plans and specifications have been approved by the Newton Public Library Board and are ready to be posted for bid.

The estimated project cost of \$100,000 will be paid from 2017B City Bonds, with any additional costs being funded through Library Donations and Newton Public Library Foundation and Friends funds.

### Recommendation:

City Staff recommends approval of the plans/specifications and order bids for the 2018 Newton Public Library Facility Renovations and Improvements Project.

A handwritten signature in black ink, appearing to read "Matt Muckler".

Matt Muckler  
City Administrator

Attachment

**RESOLUTION NO. 2018 – \_\_\_\_\_**

**RESOLUTION ORDERING BIDS, APPROVING PLANS, SPECIFICATIONS AND FORM OF CONTRACT AND NOTICE TO BIDDERS, AND ORDERING CLERK TO PUBLISH NOTICE AND FIXING A DATE FOR RECEIVING SAME, AND FOR A PUBLIC HEARING ON PLANS, SPECIFICATIONS, FORM OF CONTRACT AND ESTIMATE OF COSTS FOR THE 2018 NEWTON PUBLIC LIBRARY FACILITY RENOVATIONS AND IMPROVEMENTS PROJECT.**

**WHEREAS**, the condition of the Library's carpet and wall vinyl coverings has deteriorated over the past 25 years; and

**WHEREAS**, replacing the carpet, removing the wall vinyl, spackling and painting will drastically improve the appearance of the Library for its 100,000+ visitors a year; and

**WHEREAS**, plans and specifications have been designed and prepared by Studio Melee for the 2018 Newton Public Library Facility Renovations and Improvements Project and are ready to be placed out for bid.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Newton, Iowa, that the 2018 Newton Public Library Facility Renovations and Improvements Project in the City of Newton, Iowa is hereby ordered to be advertised for bids. The project will be paid for by 2017B City Bonds.

**BE IT FURTHER RESOLVED**, that the detailed plans and specifications as prepared by the Studio Melee and approved by City of Newton Public Works for the 2018 Newton Public Library Facility Renovations and Improvements Project in the City of Newton, Iowa, and the form of contract and Advertisement for Bids and Notice of Hearing, be and the same are hereby approved, subject to hearing thereon, and are hereby ordered placed on file in the office of the Clerk for public inspection; and

That the Clerk is hereby directed to advertise for bids for the construction of said improvements. Bids will be received and opened at the office of City Hall by the Library Director at 2:00 pm on the 14<sup>th</sup> day of February 2018. Thereupon the bids will be referred to the Newton Public Library Board and City Council for action upon said bids at a future meeting to be held at the Council Chambers, Newton, Iowa. Notice to Bidders is to be published not less than thirteen (13) calendar days nor more than forty five (45) days prior to the date fixed for said bid opening in the following: 1) a relevant contractor plan room service with statewide circulation, 2) a relevant construction lead generating service with statewide circulation and 3) the City of Newton website; and

That the Council hold a public hearing on the matter of the adoption of proposed plans, specifications and form of contract for the making of said improvements, which documents are now on file in the office of the Clerk, said hearing to be held at the Council Chambers in the City Hall, Newton, Iowa, on the 26<sup>th</sup> day of March 2018, at 6:00 pm, and that the City Clerk give notice of said hearing by publication once in a local legal newspaper, printed wholly in English language, not less than four (4) clear days nor more than twenty (20) days prior to the date fixed therefore.

**PASSED** this \_\_\_\_\_ day of January 2018.

**APPROVED** this \_\_\_\_\_ day of January 2018.

\_\_\_\_\_  
Michael L. Hansen, Mayor

ATTEST:

\_\_\_\_\_  
Katrina Davis, City Clerk

## City of Newton Council Report



**Item:** Resolution setting the date for public hearings and additional action on proposals to enter into General Obligation Loan Agreements and to borrow money thereunder.

**Summary:** This action would set a public hearing to provide authorization for bonding of 2,050,000 which includes \$860,000 for Projects and Equipment, 1.1 Million for an Urban Renewal Project in the Fairmeadows North Housing Urban Renewal Area and \$90,000 for improvements to municipal swimming pool including rehabilitation of the slide.

**Financial Impact:** No direct impact as a result of setting the Public Hearing. A proposal to bond for \$2,050,000 would be presented to Council at a future meeting.

**Report Number:** 18-022

**Date:** January 22, 2018

**Lead Department:**  
Administration

**Recommendation:**  
Approval

**Background:** During the budget process, several capital equipment and capital projects have been identified for the FY18/19 Budget.

Pursuant to Section 384.24A of the Code of Iowa, The City of Newton proposes to enter into an "Essential Purpose Loan Agreement" not to exceed \$860,000 for the purpose of paying the costs of acquiring vehicles and equipment for use by the municipal Police and Fire safety departments, acquiring and installing fuel tanks for the municipal Airport, and for the construction of street improvements.

The City also proposes to enter into a "Urban Renewal Loan Agreement" not to exceed \$1,100,000, pursuant to Section 384.24A and Section 384.24(3)(q) of the Code of Iowa, for the purpose of paying the costs of undertaking an urban renewal project in the Fairmeadows North Housing Urban Renewal Area which includes a grant to purchase land for future development.

The City proposes to enter into a "General Purpose Loan Agreement" not to exceed \$90,000 for the purpose of paying the costs of improvements to the municipal swimming pool including rehabilitation of the slide.

### **Recommendation:**

Staff recommends approval of the resolution to fix a date of meeting of the City Council, at which it is proposed to take action to enter into the loan Agreements and to give notice thereof as required by such law, including notice of the right to petition for an election on such proposal. Staff recommends approval of the Resolution.

A handwritten signature in black ink, appearing to read "Matt Muckler".

Matt Muckler  
City Administrator

## RESOLUTION NO. 2018 - \_\_\_\_\_

Resolution setting the date for public hearings and additional action on proposals to enter into General Obligation Loan Agreements and to borrow money thereunder

WHEREAS, the City of Newton (the “City”), in Jasper County, State of Iowa, proposes to enter into a General Obligation Loan Agreement (the “Essential Purpose Loan Agreement”) and to borrow money thereunder in a principal amount not to exceed \$860,000, pursuant to the provisions of Section 384.24A of the Code of Iowa, for the purpose of paying the costs, to that extent, of acquiring vehicles and equipment for use by the municipal police and fire safety departments; acquiring an ambulance; acquiring and installing fuel tanks for the municipal airport; and constructing street improvements (the “Essential Purpose Projects”), and it is necessary to fix a date of meeting of the City Council at which it is proposed to take action to enter into the Essential Purpose Loan Agreement and to give notice thereof as required by such law; and

WHEREAS, the City also proposes to enter into a General Obligation Loan Agreement (the “Urban Renewal Loan Agreement”) and to borrow money thereunder in a principal amount not to exceed \$1,100,000, pursuant to the provisions of Section 384.24A and Section 384.24(3)(q) of the Code of Iowa, for the purpose of undertaking an urban renewal project (the “Urban Renewal Project”) in the Fairmeadows North Housing Urban Renewal Area consisting of acquiring certain real property and constructing public infrastructure improvements thereon in connection with the development of a new residential housing subdivision, and it is now necessary to fix a date of meeting of the City Council at which it is proposed to take action to enter into the Urban Renewal Loan Agreement and to give notice thereof as required by such law, including notice of the right to petition for an election on such proposal; and

WHEREAS, the City also proposes to enter into a General Obligation Loan Agreement (the “General Purpose Loan Agreement”) and to borrow money thereunder in a principal amount not to exceed \$90,000, pursuant to the provisions of Section 384.24A of the Code of Iowa, for the purpose of paying the costs, to the extent, of undertaking improvements to the municipal swimming pool including rehabilitation of the slide (the “General Purpose Project”) (together, the Essential Purpose Projects, the Urban Renewal Project and the General Purpose Project are sometimes hereinafter referred to as the “Projects”), and it is now necessary to fix a date of meeting of the City Council at which it is proposed to take action to enter into the General Purpose Loan Agreement and to give notice thereof as required by such law, including notice of the right to petition for an election on such proposal;

NOW, THEREFORE, Be It Resolved by the City Council of the City of Newton, Iowa, as follows:

Section 1. This City Council shall meet on February 5, 2018, at the City Hall Council Chambers in the City, at 6:00 o’clock p.m., at which time and place hearings will be held and proceedings will be instituted and action taken to enter into the Loan Agreements described in the preamble hereof.

Section 2. The City Clerk is hereby directed to give notice of the proposed action on the Essential Purpose Loan Agreement setting forth the amount and purpose thereof, the time when and place where the said meeting will be held by publication at least once, not less than four (4) and not more than twenty (20) days before the date selected for the meeting, in a legal newspaper which has a general circulation in the City. The notice shall be in substantially the following form:

NOTICE OF PROPOSED ACTION TO INSTITUTE PROCEEDINGS TO  
ENTER INTO A LOAN AGREEMENT AND TO BORROW MONEY  
THEREUNDER IN A PRINCIPAL AMOUNT NOT TO EXCEED \$860,000

(GENERAL OBLIGATION)

The City Council of the City of Newton, Iowa (the “City”), will meet on February 5, 2018, at the City Hall Council Chambers, Newton, Iowa, at 6:00 o’clock p.m., for the purpose of instituting proceedings and taking action on a proposal to enter into a loan agreement (the “Loan Agreement”) and to borrow money thereunder in a principal amount not to exceed \$860,000 for the purpose of paying the costs, to that extent, of acquiring vehicles and equipment for use by the municipal police and fire safety departments; acquiring an ambulance; acquiring and installing fuel tanks for the municipal airport; and constructing street improvements.

The Loan Agreement is proposed to be entered into pursuant to authority contained in Section 384.24A of the Code of Iowa and will constitute a general obligation of the City.

At that time and place, oral or written objections may be filed or made to the proposal to enter into the Loan Agreement. After receiving objections, the City may determine to enter into the Loan Agreement, in which case, the decision will be final unless appealed to the District Court within fifteen (15) days thereafter.

By order of the City Council of the City of Newton, Iowa.

Katrina Davis  
City Clerk

Section 3. The City Clerk is hereby directed to give notice of the proposed action on the Urban Renewal Loan Agreement setting forth the amount and purpose thereof, the time when and place where the said meeting will be held by publication at least once, not less than ten (10) and not more than twenty (20) days before the date selected for the meeting, in a legal newspaper which has a general circulation in the City. The notice shall be in substantially the following form:

NOTICE OF PROPOSED ACTION TO INSTITUTE PROCEEDINGS TO  
ENTER INTO A LOAN AGREEMENT AND TO BORROW MONEY  
THEREUNDER IN A PRINCIPAL AMOUNT NOT TO EXCEED \$1,100,000

(GENERAL OBLIGATION)

The City Council of the City of Newton, Iowa (the “City”), will meet on February 5, 2018, at the City Hall Council Chambers Newton, Iowa, at 6:00 o’clock p.m., for the purpose of instituting proceedings and taking action on a proposal to enter into a loan agreement (the “Loan Agreement”) and to borrow money thereunder in a principal amount not to exceed \$1,100,000 for the purpose paying the costs, to that extent, of undertaking an urban renewal project in the Fairmeadows North Housing Urban Renewal Area consisting of acquiring certain real property and constructing public infrastructure improvements thereon in connection with the development of a new residential housing subdivision.

The Loan Agreement is proposed to be entered into pursuant to authority contained in Section 384.24A and Section 384.24(3)(q) of the Code of Iowa and will constitute a general obligation of the City.

At any time before the date fixed for taking action to enter into the Loan Agreement, a petition may be filed with the City Clerk of the City asking that the question of entering into the Loan Agreement be submitted to the registered voters of the City, pursuant to the provisions of Section 384.26 of the Code of Iowa. If no such petition is filed, at the aforementioned time and place, oral or written objections may be filed or made to the proposal to enter into the Loan Agreement. After receiving objections, the City may determine to enter into the Loan Agreement, in which case, the decision will be final unless appealed to the District Court within fifteen (15) days thereafter.

By order of the City Council of the City of Newton, Iowa.

Katrina Davis  
City Clerk

Section 4. The City Clerk is hereby directed to give notice of the proposed action on the General Purpose Loan Agreement setting forth the amount and purpose thereof, the time when and place where the said meeting will be held by publication at least once, not less than ten (10) and not more than twenty (20) days before the date of said meeting, in a legal newspaper which has a general circulation in the City. The notice shall be in substantially the following form:

NOTICE OF PROPOSED ACTION TO INSTITUTE PROCEEDINGS TO  
ENTER INTO A LOAN AGREEMENT AND TO BORROW MONEY  
THEREUNDER IN A PRINCIPAL AMOUNT NOT TO EXCEED \$90,000

(GENERAL OBLIGATION)

The City Council of the City of Newton, Iowa (the “City”), will meet on February 5, 2018, at the City Hall Council Chambers Newton, Iowa, at 6:00 o’clock p.m., for the purpose of instituting proceedings and taking action on a proposal to enter into a loan agreement (the “Loan Agreement”) and to borrow money thereunder in a principal amount not to exceed \$90,000 for the purpose of paying the costs, to that extent, of undertaking improvements to the municipal swimming pool including rehabilitation of the slide.

The Loan Agreement is proposed to be entered into pursuant to authority contained in Section 384.24A of the Code of Iowa and will constitute a general obligation of the City.

The maximum rate of interest which may be payable under the Loan Agreement is 7% per annum.

At any time before the date fixed for taking action to enter into the Loan Agreement, a petition may be filed with the City Clerk of the City asking that the question of entering into the Loan Agreement be submitted to the registered voters of the City, pursuant to the provisions of Section 384.26 of the Code of Iowa.

By order of the City Council of the City of Newton, Iowa.

Katrina Davis  
City Clerk

Section 5. Pursuant to Section 1.150-2 of the Income Tax Regulations (the “Regulations”) of the Internal Revenue Service, the City declares (a) that it intends to undertake the Projects which are reasonably estimated to cost approximately \$2,050,000, (b) that other than (i) expenditures to be paid or reimbursed from sources other than the issuance of bonds, notes or other obligations (the “Bonds”), or (ii) expenditures made no earlier than 60 days prior to the date of this Resolution or a previous intent resolution of the City, or (iii) expenditures amounting to the lesser of \$100,000 or 5% of the proceeds of the Bonds, or (iv) expenditures constituting preliminary expenditures as defined in Section 1.150-2(f)(2) of the Regulations, no expenditures for the Projects have heretofore been made by the City and no expenditures will be made by the City until after the date of this Resolution or a prior intent resolution of the City, and (c) that the City reasonably expects to reimburse the expenditures made for costs of the City out of the proceeds of the Bonds. This declaration is a declaration of official intent adopted pursuant to Section 1.150-2 of the Regulations

Section 6. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Section 7. This resolution shall be in full force and effect immediately upon its adoption and approval, as provided by law.

Passed and approved January 22, 2018.

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Mayor

Attest:

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City Clerk