

REGULAR CITY COUNCIL MEETING MINUTES
APRIL 05, 2021, 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 and via an electronic meeting (pursuant to Iowa Code section 21.8) because a meeting in person is impossible or impractical due to concerns for the health and safety of council members, staff, and the public due to COVID-19. Mayor Hansen presided. Present Council Members: Hallam, Stonner, George, Ervin, Trotter, Mullan. Absent: None.

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

Mayor Hansen proclaimed April 4th – 10th as National Library Week.

Angela Tharp, Executive Director, National Alliance on Mental Illness of Central Iowa (NAMI) presented on the services and benefits they provide.

During citizen participation Jon Dunwell, 912 S 11th Ave W, spoke regarding the new County assessments and the impact on taxes. Ben Miller, 808 S 5th Ave W, spoke regarding issues he has had with the rental inspection process.

Moved by Stonner, seconded by Hallam to approve consent agenda items 6-18.

6. March 15, 2021 Regular City Council Meeting Minutes
7. Resolution voluntarily amending and extending Emergency Paid Sick Leave for city employees in conjunction with federal coronavirus related legislation-Families First Coronavirus Response Act. Resolution 2021-076 adopted.
8. Resolution accepting completion of the 2020 Tree Removal Project No. 4 - Westwood Golf Course. Resolution 2021-077 adopted.
9. Resolution awarding contract for the Agnes-Patterson Park Trail Repairs and ADA Parking Improvements Project. Resolution 2021-078 adopted.
10. Resolution authorizing the purchase of a Front-End Loader for the Public Works Department. Resolution 2021-079 adopted.
11. Resolution authorizing the purchase of a grapple bucket for the Public Works Department. Resolution 2021-080 adopted.
12. Resolution approving the purchase of a tractor and mower for Streets, Landfill and WPC. Resolution 2021-081 adopted.
13. Resolution authorizing purchase of a dozer at the Newton Sanitary Landfill. Resolution 2021-082 adopted.
14. Resolution Approving a Property Tax Rebate for the Newton Senior Residence, LLC Property Located Within the North Central Urban Renewal Area. Resolution 2021-083 adopted.
15. Resolution Approving Payment to S&P Global Ratings for Services Related to the 2021 Bonding. Resolution 2021-084 adopted.
16. Resolution setting a public hearing and inviting proposals for the sale of property at 520 North 3rd Avenue East, 920 East 9th Street North, and 922 East 9th Street North in Newton. Resolution 2021-085 adopted.
17. Resolution approving the hiring of Randy's Lawn Care and Snow Removal for watering of plantings and district wide clean-up for the Newton Downtown SSMID. Resolution 2021-086 adopted.
18. Approve Bills

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

Mayor Hansen stated that this is the time and place for a Public Hearing on a Resolution adopting the FY22 through FY26 Capital Improvement Plan (CIP). There were no written comments. Moved by Mullan, seconded by Trotter, to close the public hearing. AYES: Six. NAYS: None. The public hearing was closed. Moved by Trotter, seconded by Stonner to adopt a Resolution. AYES: Six. NAYS: None. Resolution 2021-087 adopted.

Mayor Hansen stated that this is the time and place for a Public Hearing on an Ordinance amending and updating The Code of Ordinances, City of Newton, Iowa, Title XV: Land Usage, Chapter 158: Zoning, I-L: Light Industrial. There were no written comments. Moved by Ervin, seconded by Trotter, to close the public hearing. AYES: Six. NAYS: None. The public hearing was closed. Moved by Stonner, seconded by Mullan to approve the First consideration of the Ordinance. AYES: Six. NAYS: None. First Consideration approved.

Mayor Hansen stated that this is the time and place for a Public Hearing on an Ordinance vacating and disposing of a portion of north-south alley right-of-way located in the 200 block of South 5th Avenue East between East 2nd Street South and East 3rd Street South, located in the City of Newton, Jasper County, Iowa. There were no written comments. Moved by Trotter, seconded by George, to close the public hearing. AYES: Six. NAYS: None. The public hearing was closed. Moved by Trotter, seconded by George to approve the First consideration of the Ordinance. AYES: Six. NAYS: None. First Consideration approved.

Moved by George, seconded by Mullan, to approve the third consideration of an ordinance amending the Code of Ordinances, City of Newton, Iowa, 2016, Title IX, Chapter 94: Public Nuisances, Revisions and/or additions related to outside parking and storage of vehicles and trailers on residential property. John Longdin, 917 E 8th St S, spoke in opposition of the ordinance. Council discussion ensued. AYES: Two. NAYS: Hallam, Ervin, Trotter, Mullan. Third consideration failed.

Moved by Trotter, seconded by George to adopt a Resolution approving an agreement with United Public Safety for parking enforcement software and services. AYES: Six. NAYS: None. Resolution 2021-088 adopted.

Moved by Trotter, seconded by Ervin to adopt a Resolution approving the granting of Downtown Improvement Grant Funds for 112 First Avenue East. AYES: Six. NAYS: None. Resolution 2021-089 adopted.

Moved by George, seconded by Mullan to adopt a Resolution approving the granting of Downtown Improvement Grant Funds for 117 1st Avenue West. AYES: Six. NAYS: None. Resolution 2021-090 adopted.

Moved by Ervin, seconded by George to adopt a Resolution approving the granting of Downtown Improvement Grant Funds for 115-117 West 2nd Street North. AYES: Six. NAYS: None. Resolution 2021-091 adopted.

Moved by George, seconded by Trotter to adopt a Resolution approving the granting of D&D 2.0 Grant Funds for the rehabilitation of a non-historic home at 602 East 13th Street North. AYES: Six. NAYS: None. Resolution 2021-092 adopted.

Moved by Stonner, seconded by Trotter to adopt a Resolution authorizing the filing of a 657A.10A petition for ownership of abandoned property at 1024 North 11th Avenue East, Newton. AYES: Six. NAYS: None. Resolution 2021-093 adopted.

Moved by Trotter, seconded by Mullan to adopt a Resolution providing for the issuance of \$2,740,000 General Obligation Corporate Purpose Bonds, Series 2021A and providing for the levy of taxes to pay the same. AYES: Six. NAYS: None. Resolution 2021-094 adopted.

Moved by George, seconded by Trotter to adopt a Resolution providing for the issuance of \$430,000 Taxable General Obligation Corporate Purpose Bonds, Series 2021B and providing for the levy of taxes to pay the same. AYES: Six. NAYS: None. Resolution 2021-095 adopted.

Moved by Ervin, seconded by George to adopt a Resolution providing for the issuance of \$4,840,000 Sewer Revenue Bonds, Series 2021C. AYES: Six. NAYS: None. Resolution 2021-096 adopted.

Moved by Hallam, seconded by Trotter to adopt a Resolution providing for the issuance of \$1,990,000 Road Use Tax Revenue Bonds, Series 2021D. AYES: Six. NAYS: None. Resolution 2021-097 adopted.

Moved by Trotter, seconded by George to adopt a Resolution Approving Amended Development Agreement with Lion Development Group, LLC. AYES: Six. NAYS: None. Resolution 2021-098 adopted.

During staff reports, Brian Dunkelberger, City Planner, did an overview on the Community Development Residential Rental Inspection Program.

Fire Chief, Jarrod Wellik, discussed the Covid-19 Task Force recommendations for moving towards bringing the council meetings back to "normal" while keeping council, staff, and citizens safe.

Mayor Hansen and Council discussed citizen response to East 12th St S & First Avenue No Right on Red Ordinance. It was suggested to make citizens aware of the safety reasons for this change.

There were no Mayor/Council comments.

At 8:03 p.m. it was moved by Stonner, seconded by Trotter to go into closed session to Discuss Strategy with Counsel in Matters that Are Presently in Litigation or Where Litigation is Imminent Where its Disclosure Would be Likely to Prejudice or Disadvantage the Position of the Governmental Body in that Litigation, Which Discussions are Exempt from the Open Meetings Law Pursuant to the Provision of Section 21.5(1)(c), Code of Iowa 2021. AYES: Six. NAYS: None. Motion passed.

Upon return to open session at 8:32 p.m. it was moved by Ervin, seconded by George to go into closed session to Evaluate The Professional Competency Of Individuals Whose Appointment, Hiring, Performance Or Discharge Is Being Considered When Necessary To Prevent Needless And Irreparable Injury To That Individual's Reputation And That Individual Request A Closed Session. Pursuant To The Provisions Of Section 21.5(1)(i), Code of Iowa 2021. AYES: Six. NAYS: None. Motion passed.

Upon return to open session at 8:59 p.m. it was moved by Trotter, seconded by Hallam to adjourn the meeting at 9:00 P.M. Motion unanimously carried by voice vote.

Michael L. Hansen, Mayor

Katrina Davis, City Clerk