

REGULAR CITY COUNCIL MEETING MINUTES  
NOVEMBER 01, 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 4<sup>th</sup> 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 announced that DMACC requested items 20 and 21 be removed from the agenda:

20. Public Hearing on an Ordinance Amending and Updating the Code of Ordinances, City Of Newton, Iowa Title XV: Land Usage, Chapter 158: Zoning, to add campgrounds to the C-CBD: Central Business District List Of Conditional Uses. (Council Report 21-291)

21. First Consideration of an Ordinance Amending and Updating the Code of Ordinances, City Of Newton, Iowa Title XV: Land Usage, Chapter 158: Zoning, to add campgrounds to the C-CBD: Central Business District List Of Conditional Uses. (Council Report 21-291)

Without objection, items 20 and 21 were removed from the agenda.

There was no citizen participation.

Moved by Stonner, seconded by George to approve consent agenda items 3-17.

3. October 18, 2021 Regular City Council Meeting Minutes

4. Approve Liquor Licenses for: Veterans of Foreign Wars Post No 1655, Renewal, LC0026734, 315 1st Ave W, Class C Liquor License, Outdoor Service, Sunday Sales; Hy-Vee Market Café, Renewal, LC0041009

5. Certify Firefighter Candidate List

6. Resolution Approving the 2020-2021 Annual City Street Financial Report. Resolution 2021-273 adopted.

7. Resolution levying assessments for costs of nuisance abatement and providing for the payment thereof (Schedule 21-08). Resolution 2021-274 adopted.

8. Resolution accepting completion of the 2021 Maytag Park Sidewalk Project. Resolution 2021-275 adopted.

9. Resolution to provide free golf and pool passes for inclusion in the Newton Housing Development Corporation's (NHDC) 2022 Get to Know Newton Welcome Package. Resolution 2021-276 adopted.

10. Resolution appointing the Community Services Director and City Planner to serve on the Central Iowa Regional Transportation Planning Alliance Committees in 2022. Resolution 2021-277 adopted.

11. Resolution accepting completion of the 2021 Streetscape Light Pole Refinishing Project. Resolution 2021-278 adopted.

12. Resolution accepting electric line easements for the downtown H-structure removal. Resolution 2021-279 adopted.

13. Resolution for the City of Newton to retain Liebl Marketing Group services for marketing management services. Resolution 2021-280 adopted.

14. Resolution revising the vendor's name for two park equipment purchases approved earlier by Resolution 2021-128. Resolution 2021-281 adopted.

15. Resolution Setting Date for Public Hearing on Urban Renewal Plan Amendment for the East-Mart Economic Development Area. Resolution 2021-282 adopted.

16. Resolution returning the block party late fee to Fellowship of Christian Athletes (FCA) a non-profit organization. Resolution 2021-283 adopted.

17. 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 Approving Development Agreement with Nehring Auto Inc., Authorizing Annual Appropriation Tax Increment Payments and Pledging Certain Tax Increment Revenues to the Payment of the Agreement. There were no written comments. Moved by Trotter, seconded by Mullan, to close the public hearing. AYES: Six. NAYS: None. The public hearing was closed. Moved by Ervin, seconded by Hallam to adopt the resolution. AYES: Six. NAYS: None. Resolution 2021-284 adopted.

Moved by Mullan, seconded by George to reconsider 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 street parking in the 1200-1400 blk. of S 6<sup>th</sup> Ave E. AYES: Six. NAYS: None. Motion passed. Moved by Hallam, seconded by Mullan to approve the First consideration of the above ordinance. AYES: Five. NAYS: Trotter. First consideration was approved.

Moved by Stonner, seconded by George to approve the Third Consideration of an Ordinance amending the Code of Ordinances, City of Newton, Iowa, 2016, Title VII, Chapter 70, Section 70.15, "Traffic and Parking Schedules Adopted by Reference", to make changes to street parking in the 600-700 blk. of E 15<sup>th</sup> St S. AYES: Six. NAYS: None. First consideration was approved. Moved by George, seconded by Mullan to adopt the ordinance. AYES: Six. NAYS: None. Ordinance 2400 adopted.

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 VII, Chapter 70, Section 70.15, "Traffic and Parking Schedules Adopted by Reference", to make changes to street parking in the 600-700 blk. of E 14<sup>th</sup> St S. AYES: Three. NAYS: Hallam, Ervin, Trotter. Ordinance fails.

Moved by Ervin, seconded by Hallam to approve the Second 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. Fran Henderson, 1101 S 13<sup>th</sup> Ave W, asked council to vote no due to enforcement and curb appeal. AYES: Four. NAYS: George, Mullan. Second consideration was approved.

Moved by Trotter, seconded by Ervin to adopt the Resolution approving the granting of Downtown Improvement Grant Funds for 216 1<sup>st</sup> Avenue West. AYES: Six. NAYS: None. Resolution 2021-285 adopted.

Moved by George, seconded by Trotter to adopt the Resolution to promote retail through a Shop Local marketing campaign using radio, targeted streaming radio and OTT/mobile video. Vicki Wade with Destination Downtown Newton Alliance (DDNA) asked that staff work with DDNA on the campaign. AYES: Six. NAYS: None. Resolution 2021-286 adopted.

Erin Chambers Community Development Director gave a Community Development update along with presenting the new Food Truck info website.

During Mayor/Council comments Mayor Hansen indicated that he was contacted by Tom Johnson, financial partner with Project Fastpitch. They are still on track with their construction financing although they have had increases in construction costs. Construction will start as soon as weather permits and all of the subcontractors are coming from central Iowa. Mayor Hansen thanked our partner organizations and all that invest in our community.

Moved by Trotter, seconded by Mullan at 6:46 p.m. to go into closed session To Discuss Strategy with Counsel in Matters that Are Presently in Litigation or Where Litigation is Imminent Where its Disclosure Would be Likely to Prejudice or Disadvantage the Position of the Governmental Body in that Litigation, Which Discussions are Exempt from the Open Meetings Law Pursuant to the Provision of Section 21.5(1)(c), Code of Iowa 2021. AYES: Six. NAYS: None. Motion approved.

Upon return to open session it was moved by Stonner, seconded by Ervin 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 approved.

Upon return to open session it was moved by Trotter, seconded by Hallam to adjourn the meeting at 7:26 P.M. Motion unanimously carried by voice vote.

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Michael L. Hansen, Mayor

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Katrina Davis, City Clerk