

**CITY OF IOWA FALLS  
REGULAR MEETING  
OCTOBER 16, 2023**

The City Council of the City of Iowa Falls met in regular session on Monday, October 16, 2023 with Mayor Michael R. Emerson presiding over the meeting. Council Members Micah Cutler, Michelle Gritsch, Steve Klein, Roger Nissly and Bruce Thies were present. Also present was City Manager Jody Anderson.

**ACCEPTANCE OF THE AGENDA**

Thies moved and Klein seconded to accept the agenda as written.  
Vote: Thies, Klein, Gritsch, Nissly and Cutler voting aye.

**APPROVAL OF MINUTES**

Cutler moved and Thies seconded to approve the Regular Meeting of September 18, 2023 and the Special Meeting of September 25, 2023.  
Vote: Cutler, Thies, Nissly, Klein and Gritsch voting aye.

**MONTHLY CLAIMS AND FINANCIALS**

Thies moved and Gritsch seconded to approve the monthly claims and financials.  
Roll Vote: Thies, Gritsch, Klein, Nissly and Cutler voting aye.

**CONSENT AGENDA**

Nissly moved and Klein seconded to approve the following:

1. **CDBG-CV Program**

Payment to Wiggles and Giggles in the amount of \$2,501.85.

2. **Rock Run School "STEM Night"**

Resolution No. 2023-42 closing College Avenue from North Street to Siloam Avenue on Monday, October 23<sup>rd</sup> from 5pm to 8pm for "STEM Night" to allow for parking of two semis for the kids to go in and out of.

3. **Liquor License**

5-day Special Class C Retail Alcohol License for Top of Iowa Lucky Wife Wine Slushies at 523 Washington Avenue.

Roll Vote: Nissly, Klein, Gritsch, Thies and Cutler voting aye.

## **OLD BUSINESS**

### **4. River Road Utility Extensions and Roadway Improvements**

a. Cutler moved and Gritsch seconded to approve Progress Payment #11 in the amount of \$396,133.56 to Gehrke, Inc.

Roll Vote: Cutler, Gritsch, Klein, Nissly and Thies voting aye.

b. Nissly moved and Thies seconded to approve Amendment No. 1 to Task Order No. 8211-20A.1 with FOX Strand.

Roll Vote: Nissly, Thies, Cutler, Klein and Gritsch voting aye.

### **5. Palisades East – Grading and Public Improvements**

a. Klein moved and Nissly seconded to approve Progress Payment #4 in the amount of \$219,044.03 to Cole Excavating, LLC.

Roll Vote: Klein, Nissly, Cutler, Thies and Gritsch voting aye.

b. Thies moved and Cutler seconded to approve Amendment No. 1 to Task Order No. 2022-4 with FOX Strand.

Roll Vote: Thies, Cutler, Nissly, Klein and Gritsch voting aye.

### **6. Heritage Estates – Grading & Public Improvements**

a. Gritsch moved and Klein seconded to approve Progress Payment #3 in the amount of \$102,595.25 to McDowell & Sons Contractors, Inc.

Roll Vote: Gritsch, Klein, Nissly, Cutler and Thies voting aye.

b. Mitch Holtz with FOX Strand Engineering discussed the deficiencies in the concrete work on the Floyd Avenue street work. Lance Sharar with King Construction discussed some ideas on how to possibly correct the deficiencies. Sharar will do those and the Council will meet when completed to decide if they will accept the work.

### **7. Goldfinch Estates II, LLC**

a. Mayor Emerson opened the public hearing on the Development Agreement with Goldfinch Estates II, LLC. There was no public comment. Mayor Emerson closed the public hearing.

b. Klein moved and Nissly seconded to set another public hearing for November 20, 2023, on approval of the Development Agreement with Goldfinch Estates II, LLC.

Roll Vote: Klein, Nissly, Gritsch, Thies and Cutler voting aye.

8. **Palisades LLC**

a. Mayor Emerson opened the public hearing on amending the legal description for the original Development Agreement with Palisades West LLC. There was no public comment. Mayor Emerson closed the public hearing.

b. Thies moved and Nissly seconded to approve the amended legal description in the original Development Agreement with Palisades West LLC  
Roll Vote: Thies, Nissly, Klein, Gritsch and Cutler voting aye.

c. Mayor Emerson opened the public hearing on the for the Upper Palisades West Development Agreement to expand for residential development. There was no public comment. Mayor Emerson closed the public hearing.

d. Nissly moved and Klein seconded to table approval of the Upper Palisades West Development Agreement to expand for residential development and schedule a public hearing for the November 20, 2023 City Council meeting.  
Roll Vote: Nissly, Klein, Gritsch, Cutler and Thies voting aye.

e. Gritsch moved and Thies seconded to reschedule the public hearing on the approval of the final plat of Lower Palisades West to the November 20, 2023 City Council meeting.

f. The Resolution approving the Preliminary Plat of Palisades Estates, Plat 1, City of Iowa Falls, Hardin County, Iowa, was deferred to the November 20, 2023 meeting.

g. The Resolution approving the Final Plat of Palisades Estates, Plat 1, City of Iowa Falls, Hardin County, Iowa, was deferred to the November 20, 2023 meeting.

9. **Heritage Estates Final Plat**

Klein moved and Gritsch seconded to reschedule the public hearing on the approval of the final plat for Heritage Estates to the November 20, 2023 City Council meeting.  
Roll Vote: Klein, Gritsch, Thies, Cutler and Nissly voting aye.

10. **Flood Proofing Water Supply & Wastewater Facility**

a. Two bids were received for the Flood Proofing Water Supply & Wastewater Facility.

b. Klein moved and Cutler seconded to award the bid to Tricon Construction in the amount of \$526,150.  
Roll Vote: Klein, Cutler, Nissly, Cutler and Thies voting aye.

11. **North Park Cadet Trail**

Cutler moved and Thies seconded to request a more detailed invoice from WHKS outlining what was covered in the invoice of \$38,570.06 for the North Park Cadet Trail Project.

Roll Vote: Cutler, Thies, Gritsch, Klein and Nissly voting aye.

12. **Albrights Bluff**

a. Mayor Emerson opened the public hearing on the plans, specification, form of contract and estimated construction cost for the project. There was no public comment. Mayor Emerson closed the public hearing.

b. No bids were received for the project.

c. Cutler moved and Nissly seconded to approve payment to Studio Melee in the amount of \$1,000 for the project.

Roll Vote: Cutler, Nissly, Klein, Gritsch and Thies voting aye.

13. **Zoning**

a. Mayor Emerson opened the public hearing on amendments to the definition for public garage and permitted uses in Arterial Commercial District and General Commercial District. There was no public comment. Mayor Emerson closed the public hearing.

b. Gritsch moved and Klein seconded to approve on first reading an Ordinance amending the Code of Ordinances of the City of Iowa Falls, Iowa, by adding a new Subsection to Arterial Commercial District.

Roll Vote: Gritsch, Klein, Nissly, Cutler and Thies voting aye.

c. Cutler moved and Nissly seconded to approve suspension of the rules and placing on third and final reading.

Roll Vote: Cutler, Nissly, Klein, Gritsch and Thies voting aye.

d. Thies moved and Cutler seconded to approve on third and final reading Ordinance No. 1187 amending the Code of Ordinances of the City of Iowa Falls, Iowa, by adding a new Subsection to Arterial Commercial District.

Roll Vote: Thies, Cutler, Nissly, Klein and Gritsch voting aye.

e. Klein moved and Gritsch seconded to approve on first reading an Ordinance amending the Code of Ordinances of the City of Iowa Falls, Iowa, by adding a new Subsection to General Commercial District.

Roll Vote: Klein, Gritsch, Thies, Cutler and Nissly voting aye.

f. Gritsch moved and Nissly seconded to approve suspension of the rules and placing on third and final reading.

Roll Vote: Gritsch, Nissly, Klein, Cutler and Thies voting aye.

g. Cutler moved and Thies seconded to approve on third and final reading Ordinance No. 1188 amending the Code of Ordinances of the City of Iowa Falls, Iowa, by adding a new Subsection to General Commercial District.

Roll Vote: Cutler, Thies, Gritsch, Klein and Nissly voting aye.

h. Thies moved and Cutler seconded to approve on first reading an Ordinance amending the Code of Ordinances of the City of Iowa Falls, Iowa, by adding a new Subsection to Light Industrial District.

Roll Vote: Thies, Cutler, Nissly, Klein and Gritsch voting aye.

i. Nissly moved and Klein seconded to approve suspension of the rules and placing on third and final reading.

Roll Vote: Nissly, Klein, Gritsch, Thies and Cutler voting aye.

j. Cutler moved and Gritsch seconded to approve on third and final reading Ordinance No. 1189 amending the Code of Ordinances of the City of Iowa Falls, Iowa, by adding a new Subsection to Light Industrial District.

Roll Vote: Cutler, Gritsch, Klein, Nissly and Thies voting aye.

#### 14. **Iowa Falls Airport**

a. Thies moved and Gritsch seconded to approve the 5-year On-Call Master Services Agreement with McClure, following consultant selection process with FAA.

Roll Vote: Thies, Gritsch, Klein, Nissly and Cutler voting aye.

b. Klein moved and Thies seconded to approve Task Order No. 1 with the Rehabilitate Taxiway A Project with McClure (fall/winter of 2023 design, spring 2024 bid, April 1 FAA Grant deadline, construction fall 2024 or spring 2025).

Roll Vote: Klein, Thies, Cutler, Nissly and Gritsch voting aye.

c. Nissly moved and Gritsch seconded to approve the Final Invoice for Reconstruct Runway 13/31 project.

Roll Vote: Nissly, Gritsch, Klein, Cutler and Thies voting aye.

d. Thies moved and Cutler seconded to approve the Final Invoice for Construct Taxiway A project.

Roll Vote: Thies, Cutler, Nissly, Klein and Gritsch voting aye.

#### 15. **Leaf and Brush Pickup**

Discussion was held in regard to the possibility of purchasing a new machine for leaf pickup and the need for an increase in the fee charged.

## **NEW BUSINESS**

### 16. **1014 Main Street**

a. The Council discussed the offer received to purchase the lot at 1014 Main Street.

b. Cutler moved and Thies seconded to approve Resolution No. 2023-43 tentatively approving the sale of the vacant lot at 1014 Main Street to Sarah and Sean Palmer for a purchase price of \$1,700.00, and setting a public hearing on the sale for the November 20, 2023 City Council meeting with the stipulation that a garage be built within 36 months and the parcels be joined.

Roll Vote: Cutler, Thies, Gritsch, Klein and Nissly voting aye.

### 17. **Princess Pocket Park**

Nissly moved and Thies seconded to approve the extension of the Agreement for Lease of Real Property.

Roll vote: Nissly, Thies, Cutler, Klein and Gritsch voting aye.

### 18. **Wastewater Department**

a. Nissly moved and Klein seconded to approve the 5-year contract at \$20,00 per year with Wulfekuhle Injection and Pumping Inc. for the land application of biosolids proposal.

Roll Vote: Nissly, Klein, Gritsch, Thies and Cutler voting aye.

b. Klein moved and Gritsch seconded to approve CIT Sewer Solutions to perform sanitary sewer rehabilitation projects in the amount of \$19,985.60.

Roll Vote: Klein, Gritsch, Nissly, Cutler and Thies voting aye.

### 19. **Estes Park Flower Gardens**

Nissly moved and Gritsch seconded to approve \$600 for the care and purchase of flowers in Estes Park for 2024, with the funds coming from 20% LOST.

Roll Vote: Nissly, Gritsch, Klein, Cutler and Thies voting aye.

### 20. **Ordinance Revisions**

a. Nissly moved and Klein seconded to approve on first reading an Ordinance amending the Code of Ordinances of the City of Iowa Falls, Iowa, by amending provisions pertaining to property maintenance code violations.

Roll Vote: Nissly, Klein, Gritsch, Thies and Cutler voting aye.

b. Klein moved and Nissly seconded to approve suspension of the rules and placing on third and final reading.

Roll Vote: Klein, Nissly, Gritsch, Cutler and Thies voting aye.

c. Thies moved and Cutler seconded to approve on third and final reading Ordinance No. 1190 amending the Code of Ordinances of the City of Iowa Falls, Iowa, by amending provisions pertaining to property maintenance code violations.

Roll Vote: Thies, Cutler, Nissly, Klein and Gritsch voting aye.

d. Cutler moved and Nissly seconded to approve on first reading an Ordinance amending the Code of Ordinances of the City of Iowa Falls, Iowa, by amending provisions pertaining to junk, junk vehicles and parked vehicles.

Roll Vote: Cutler, Nissly, Klein, Gritsch and Thies voting aye.

e. Nissly moved and Cutler seconded to approve suspension of the rules and placing on third and final reading.

Roll Vote: Nissly, Cutler, Thies, Gritsch and Klein voting aye.

f. Klein moved and Thies seconded to approve on third and final reading Ordinance No. 1191 amending the Code of Ordinances of the City of Iowa Falls, Iowa, by amending provisions pertaining to junk, junk vehicles and parked vehicles.

Roll Vote: Klein, Thies, Cutler, Nissly and Gritsch voting aye.

## 21. **Bluff Street**

a. Thies moved and Cutler seconded to approve on first reading an Ordinance amending Ordinance No. 1140 vacating city property consisting of real property identified as a vacated portion of Bluff Street; located in Railroad Addition to the City of Iowa Falls, Hardin County, Iowa.

Roll Vote: Thies, Cutler, Nissly, Klein and Gritsch voting aye.

b. Nissly moved and Gritsch seconded to approve suspension of the rules and placing on third and final reading.

Roll Vote: Nissly, Gritsch, Klein, Cutler and Thies voting aye.

c. Thies moved and Cutler seconded to approve on third and final reading Ordinance No. 1092 amending Ordinance No. 1140 vacating city property consisting of real property identified as a vacated portion of Bluff Street; located in Railroad Addition to the City of Iowa Falls, Hardin County, Iowa.

Roll Vote: Thies, Cutler, Nissly, Klein and Gritsch voting aye.

## 22. **Police Vehicle**

Klein moved and Nissly seconded to approve \$20,344.49 to equip the new police vehicle with the funds coming from Fund 36 to be repaid from the sale of the old vehicle and the K9 fund.

Roll Vote: Klein, Nissly, Cutler, Thies and Gritsch voting aye.

23. **Hotel/Motel Funding Application**

This moved and Nissly seconded to approve the application from the Cadet Basketball Club in the amount of \$5,408 from tourism funds.

Roll Vote: Thies, Nissly, Klein, Gritsch and Cutler voting aye.

24. **Closed Session**

Cutler moved and Thies seconded to go into closed session as allowed in Iowa Code Section 21.5.1.j to discuss land acquisition and disposal and to discuss union negotiations.

Roll Vote: Cutler, Thies, Gritsch, Klein and Nissly voting aye.

Klein moved and Nissly seconded to go back into open session having taken no action in closed session.

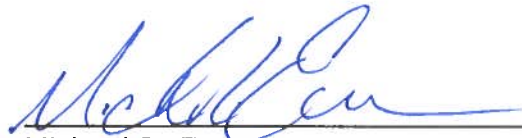
Roll Vote:

**ADJOURNMENT**

Cutler moved and Nissly seconded to adjourn.

Vote: Cutler, Nissly, Klein, Gritsch and Thies voting aye.

The meeting adjourned at 8:51 p.m.

  
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Michael R. Emerson, Mayor  
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Kaci Elkin, Mayor