**CITY OF IOWA FALLS**

**REGULAR MEETING**

**AUGUST 18, 2014**

The Mayor and City Council of the City of Iowa Falls met in regular session on Monday, August 18, 2014 with Mayor Gene Newgaard presiding over the meeting. Council Members Verv Davidson, Mark Messa, Roger Nissly, Bruce Thies and Rob Wohlert were present. Also present was City Manager Jody Anderson.

**ACCEPTANCE OF THE AGENDA**

Davidson moved and Wohlert seconded to accept the agenda.

Vote: Davidson, Wohlert, Thies, Nissly and Messa voting aye.

**APPROVAL OF MINUTES**

a. Wohlert moved and Nissly seconded to approve the minutes of the regular meeting of July 21, 2014.

Vote: Wohlert, Nissly, Thies, Davidson and Messa voting aye.

b. Messa moved and Davidson seconded to approve the minutes of the special meeting of August 5, 2014.

Vote: Messa, Davidson, Nissly, Thies and Wohlert voting aye.

**CONSENT AGENDA**

Nissly moved and Wohlert seconded to approve the following:

1. **Liquor License**

a. Special Class C Liquor License for Chuong Garden.

b. Class E Liquor License for Fareway Stores.

2. **Street Financial Report**

Resolution No. 2014-36 approving the City Street Financial Report from July 1, 2013 to June 30, 2014.

Roll Vote: Nissly, Wohlert, Thies, Davidson and Messa voting aye.

**OLD BUSINESS**

3. **General Obligation Bonds**

a. Mayor Newgaard opened the public hearing on the authorization of a Loan Agreement and the issuance of Notes to evidence the obligation of the City thereunder. There were no oral or written comments. Mayor Newgaard closed the public hearing.

b. Messa moved and Nissly seconded to approve Resolution No. 2014-37 instituting proceedings to take additional action for the issuance of not to exceed $650,000 General Obligation Capital Loan Notes.

Roll Vote: Messa, Nissly, Thies, Wohlert and Davidson voting aye.

c. Mayor Newgaard opened the public hearing on the authorization of a Loan Agreement and the issuance of Notes to evidence the obligation of the City thereunder. There were no oral or written comments. Mayor Newgaard closed the public hearing.

d. Wohlert moved and Davidson seconded to approve Resolution No. 2014-38 instituting proceedings to take additional action for the issuance of not to exceed $5,200,000 General Obligation Capital Loan Notes.

Roll Vote: Wohlert, Davidson, Messa, Nissly and Thies voting aye.

e. Messa moved and Nissly seconded to approve Resolution No. 2014-39 authorizing and approving the preliminary official statement for the $5,615,000 General Obligation Capital Loan Notes, Series, 2014.

Roll Vote: Messa, Nissly, Thies, Wohlert and Davidson voting aye.

4. **Downtown Alley Project**

Wohlert moved and Messa seconded to approve Resolution No. 2014-40 authorizing execution of contract, and authorizing execution of notice to proceed.

Roll Vote: Wohlert, Messa, Davidson, Nissly and Thies voting aye.

5. **City Garbage Collection Permit**

a. Nissly moved and Thies 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 the collection of solid waste with the change in item one to renew July 1st of each year and in item four to change the dollar amount to the current residential rate.

Roll Vote: Nissly, Thies, Wohlert, Messa and Davidson voting aye.

b. Messa moved and Nissly seconded to suspend the rules and place on third and final reading.

Roll Vote: Messa, Nissly, Thies, Wohlert and Davidson voting aye.

c. Thies moved and Wohlert seconded to approve on third and final reading Ordinance No. 1051 amending the Code of Ordinances of the City of Iowa Falls, Iowa by amending provisions pertaining to the collection of solid waste.

Roll Vote: Thies, Wohlert, Nissly, Davidson and Messa voting aye.

6. **Employee Handbook**

Wohlert moved and Davidson seconded to approve Resolution No. 2014-41 approving the City of Iowa Falls Employee Handbook.

Roll Vote: Wohlert, Davidson, Messa, Nissly and Thies voting aye.

7. **Airport 5-Unit T-Hangar**

a. The Council reviewed the Engineer’s Statement of Completion for the Project.

b. Wohlert moved and Davidson seconded to approve Resolution No. 2014-42 of acceptance of the Engineer’s Statement of Completion and Acceptance of Public Improvements for the Iowa Falls Municipal Airport 5-Unit T-Hangar Construction.

Roll Vote: Wohlert, Davidson, Messa, Nissly and Thies voting aye.

8. **136 East Rocksylvania**

Thies moved and Wohlert seconded to take no action on the bids received and check to see if we can get the asbestos abated.

Roll Vote: Thies, Wohlert, Nissly, Davidson and Messa voting aye.

**NEW BUSINESS**

9. **Met Theater**

a. Wohlert moved and Messa seconded to approve Resolution No. 2014-43 closing Washington Avenue from Stevens Street to Oak Street on Saturday, September 20, 2014 from 3:00 p.m. until 12:00 a.m. September 21, 2014 for the Metropolitan Opera House Theatre’s 1 year anniversary celebration with a street dance and live bands.

Roll Vote: Wohlert, Messa, Davidson, Nissly and Thies voting aye.

b. Thies moved and Davidson seconded to approve the noise ordinance variance on Saturday, September 20, 2014 from 3:00 p.m. until 12:00 a.m. September 21, 2014 for the Metropolitan Opera House Theatre’s 1 year anniversary celebration with a street dance and live bands.

Vote: Thies, Davidson, Messa, Wohlert and Nissly voting aye.

10. **Wastewater Treatment Plant Controls Replacement**

Nissly moved and Thies seconded to approve the Task Order with FOX Engineering for Engineering Services for the Iowa Falls Wastewater Treatment Plant Control Replacement Project.

Roll Vote: Nissly, Thies, Wohlert, Messa and Davidson voting aye.

11. **Debt Issue**

Messa moved and Wohlert seconded to approve Resolution No. 2014-44 declaring an official intent under Treasury Regulation 1.150-2 to issue debt to reimburse the City for certain expenditures paid in connection with specified Projects.

Roll Vote: Messa, Wohlert, Thies, Nissly and Davidson voting aye.

12. **Electrical Code**

a. Wohlert 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 Electrical Code.

Roll Vote: Wohlert, Nissly, Thies, Davidson and Messa voting aye.

b. Wohlert moved and Thies seconded to direct the City Manager to contact the State Electrical Examining Board asking them to take over electrical inspections as of January 1, 2015. The City of Iowa Falls will continue issuing permits until October 31, 2014, all permits after that date should be issued by the State.

Roll Vote: Wohlert, Thies, Nissly, Davidson and Messa voting aye.

13. **2014 Legislative Changes Affecting the City Code**

a. Wohlert moved and Nissly seconded to approve on first reading an Ordinance amending the Code of Ordinances of the City of Iowa Falls, Iowa by adding provisions pertaining to vapor products and alternative nicotine products.

Roll Vote: Wohlert, Nissly, Thies, Davidson and Messa voting aye.

b. Messa moved and Nissly seconded to suspend the rules and place on third and final reading.

Roll Vote: Messa, Nissly, Davidson, Thies and Wohlert voting aye.

c. Wohlert moved and Thies seconded to approve on third and final reading Ordinance No. 1052 amending the Code of Ordinances of the City of Iowa Falls, Iowa by adding provisions pertaining to vapor products and alternative nicotine products.

Roll Vote: Wohlert, Thies, Nissly, Davidson and Messa voting aye.

d. Messa moved and Wohlert 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 off-road utility vehicles.

Roll Vote: Messa, Wohlert, Thies, Nissly and Davidson voting aye.

e. Wohlert moved and Davidson seconded to suspend the rules and place on third and final reading.

Roll Vote: Wohlert, Davidson, Messa, Nissly and Thies voting aye.

f. Wohlert moved and Nissly seconded to approve on third and final reading Ordinance No. 1053 amending the Code of Ordinances of the City of Iowa Falls, Iowa, by amending provisions pertaining to off-road utility vehicles.

Roll Vote: Wohlert, Nissly, Thies, Davidson and Messa voting aye.

g. Nissly moved and Thies 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 solid waste.

Roll Vote: Nissly, Thies, Wohlert, Messa and Davidson voting aye.

h. Messa moved and Wohlert seconded to suspend the rules and place on third and final reading.

Roll Vote: Messa, Wohlert, Thies, Nissly and Davidson voting aye.

i. Wohlert moved and Nissly seconded to approve on third and final reading Ordinance No. 1054 amending the Code of Ordinances of the City of Iowa Falls, Iowa, by amending provisions pertaining to solid waste.

Roll Vote: Wohlert, Nissly, Thies, Davidson and Messa voting aye.

j. Wohlert moved and Thies 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 vacancies in an elected office and city elections.

Roll Vote: Wohlert, Thies, Nissly, Davidson and Messa voting aye.

k. Thies moved and Nissly seconded to suspend the rules and place on third and final reading.

Roll Vote: Thies, Nissly, Wohlert, Messa and Davidson voting aye.

l. Messa moved and Wohlert seconded to approve on third and final reading Ordinance No. 1055 amending the Code of Ordinances of the City of Iowa Falls, Iowa, by amending provisions pertaining to vacancies in an elected office and city elections.

Roll Vote: Messa, Wohlert, Thies, Nissly and Davidson voting aye.

m. Wohlert 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 persons under legal age/social hosts.

Roll Vote: Wohlert, Nissly, Thies, Davidson and Messa voting aye.

n. Nissly moved and Thies seconded to suspend the rules and place on third and final reading.

Roll Vote: Nissly, Thies, Wohlert, Messa and Davidson voting aye.

o. Davidson moved and Wohlert seconded to approve on third and final reading Ordinance No. 1056 amending the Code of Ordinances of the City of Iowa Falls, Iowa, by amending provisions pertaining to persons under legal age/social hosts.

Roll Vote: Davidson, Wohlert, Thies, Nissly and Messa voting aye.

14. **Appointments**

Messa moved and Thies seconded to approve the appointment of Travis Woodley to fill a position on the Hotel/Motel Tax Advisory Committee for a term to expire February 2016.

Roll Vote: Messa, Thies, Wohlert, Nissly and Davidson voting aye.

15. **Closed Session**

Wohlert moved and Nissly seconded to go into closed session as allowed in Iowa Code Section 21.5.1.j to discuss land acquisition and disposal.

Roll Vote: Wohlert, Nissly, Thies, Davidson and Messa voting aye.

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

Roll Vote: Nissly, Thies, Wohlert, Messa and Davidson voting aye.

**ADJOURNMENT**

Wohlert moved and Thies seconded to adjourn.

Vote: Wohlert, Thies, Nissly, Davidson and Messa voting aye.

The meeting adjourned at 9:00 p.m.

Gene Newgaard, Mayor

Attest:

Jon Kies, City Clerk