

**CITY OF IOWA FALLS
REGULAR MEETING
NOVEMBER 21, 2011**

The Mayor and City Council of the City of Iowa Falls met in regular session on Monday, November 21, 2011 with Mayor Jerrold Welden presiding over the meeting. Council Members David Hampe, Kurt Knudson, Mark Messa and Bruce Thies were present. Council Member Roger Nissly was absent. Also present was City Manager Jody Anderson.

ACCEPTANCE OF THE AGENDA

Messa moved and Knudson seconded to approve the agenda with items #1 and #2 removed from the Consent Agenda.

Vote: Messa, Knudson, Thies and Hampe voting aye.

APPROVAL OF MINUTES

Messa moved and Hampe seconded to approve the minutes of the regular meeting of October 17, 2011 and the special meeting of October 21, 2011.

Vote: Messa, Hampe, Thies and Knudson voting aye.

APPROVAL OF MONTHLY CLAIMS

Hampe moved and Thies seconded to approve the monthly claims.

Vote: Hampe, Thies, Knudson and Messa voting aye.

CONSENT AGENDA

1. **Airport Runway Extension and Lighting Project**

Knudson moved and Hampe seconded to approve Request No. 2 in the amount of \$538,268.26.

Roll Vote: Knudson, Hampe, Thies and Messa voting aye.

2. **Recreational Trail Paving Project**

Messa moved and Thies seconded to approve Pay Request No. 1 in the amount of \$236,073.88 payable with TIF funds.

Roll Vote: Messa, Thies, Hampe and Messa voting aye.

OLD BUSINESS

3. **Sale of Property – Competition Chemicals**

a. Mayor Welden opened the public hearing on the sale of real property described as follows, to-wit: commencing at the SW corner of Lot 4 in Block 22 Original Town of Iowa Falls,

Iowa, thence south 89°50'20" East 100.13 feet; thence south 00°08'36" west 110.58 feet; thence north 89°50'20" west 100.13 feet; thence north 00°08'36" east 110.58 feet to the point of beginning, (hereinafter the "sale" property) together with a nonexclusive easement over real property described as: commencing at the SW corner of Lot 4, Block 22, Original Town of Iowa Falls, Hardin County, Iowa, thence south 00°08'36" west 110.58 feet; thence north 89°50'20" west 15 feet; thence north 00°08'36" east 110.58 feet; thence south 89°50'20" east 15.00 feet to the point of beginning (hereinafter the "easement property"). There were no oral or written comments. Mayor Welden closed the public hearing.

b. Thies moved and Knudson seconded to approve Resolution No. 2011-64 approving the sale of real property described as follows, to-wit: commencing at the SW corner of Lot 4 in Block 22 Original Town of Iowa Falls, Iowa, thence south 89°50'20" East 100.13 feet; thence south 00°08'36" west 110.58 feet; thence north 89°50'20" west 100.13 feet; thence north 00°08'36" east 110.58 feet to the point of beginning, (hereinafter the "sale" property) together with a nonexclusive easement over real property described as: commencing at the SW corner of Lot 4, Block 22, Original Town of Iowa Falls, Hardin County, Iowa, thence south 00°08'36" west 110.58 feet; thence north 89°50'20" west 15 feet; thence north 00°08'36" east 110.58 feet; thence south 89°50'20" east 15.00 feet to the point of beginning (hereinafter the "easement property").
Roll Vote: Thies, Knudson, Hampe and Messa voting aye.

4. ITC Midwest

a. Mayor Welden opened the public hearing on an Electric Franchise Agreement with ITC Midwest. City Manager Anderson commented that the franchise will be for a six month period and then be revisited. There was no further comment. Mayor Welden closed the public hearing.

b. Messa moved and Thies seconded to approve on first reading an Ordinance granting to ITC MIDWEST LLC, a wholly owned subsidiary of ITC HOLDINGS CORP. , its successors and assigns (the "Company"), the right and franchise to acquire, construct, erect, maintain and operate in the City of Iowa Falls, Hardin County, Iowa, a transmission system for electric power and the right to erect and maintain the necessary poles, lines, wires, conduits and other appliances for the transmission of electric current along, under and upon the streets, avenues, alleys and public places in the City of Iowa Falls, Hardin County, Iowa; granting the right to erect and maintain upon the streets, avenues, alleys and public places, transmission lines through the City of Iowa Falls, Hardin County, Iowa, for a period of six months beginning December 1, 2011; and granting the right of eminent domain.
Roll Vote: Messa, Thies, Knudson and Hampe voting aye.

c. Hampe moved and Knudson seconded to approve the suspension of the rules and placing on third and final reading.
Roll Vote: Hampe, Knudson, Thies and Messa voting aye.

d. Thies moved and Knudson seconded to approve on third and final reading Ordinance No. 1008 granting to ITC MIDWEST LLC, a wholly owned subsidiary of ITC HOLDINGS CORP. , its successors and assigns (the "Company"), the right and franchise to acquire, construct, erect, maintain and operate in the City of Iowa Falls, Hardin County, Iowa, a transmission system for electric power and the right to erect and maintain the necessary poles, lines, wires, conduits and other

appliances for the transmission of electric current along, under and upon the streets, avenues, alleys and public places in the City of Iowa Falls, Hardin County, Iowa; granting the right to erect and maintain upon the streets, avenues, alleys and public places, transmission lines through the City of Iowa Falls, Hardin County, Iowa, for a period of six months beginning December 1, 2011; and granting the right of eminent domain.

Roll Vote: Thies, Knudson, Hampe and Messa voting aye.

e. Troy Weary with ITC Midwest discussed trimming and/or removal of trees on city property. Weary and City Manager Anderson will look at the area where the trees are located.

NEW BUSINESS

5. Winter Fest 2012

a. Knudson moved and Thies seconded to approve a noise ordinance variance for Fitz Riverbend Park from 4:00 p.m. until 7:00 p.m. for a fireworks display on Saturday, January 28, 2012.
Roll Vote: Knudson, Thies, Hampe and Messa voting aye.

b. Messa moved and Hampe seconded to approve Resolution No. 2011-65 closing Pine Street from River Street to River Road on Saturday, January 28, 2012 from 11:00 a.m. until 3:00 p.m. and approval of the route for the winter triathlon.
Roll Vote: Messa, Hampe, Thies and Knudson voting aye.

6. Digester Cover

Messa moved and Hampe seconded to approve option four as presented which would replace the rollers with slides and reuse the existing slide guides with an estimated cost of \$70,000.
Roll Vote: Messa, Hampe and Thies voting aye. Knudson voting no.

7. Trails Project

Hampe moved and Messa seconded to authorize WHKS do the design and construction phase of the 10' hard surfaced multi-purpose recreation trail for the Georgetown Road Project at an estimated cost of \$70,000 to \$80,000 payable with TIF funds.
Roll Vote: Hampe, Messa and Thies voting aye. Knudson voting no.

8. Street Projects

Thies moved and Knudson seconded to approve the additional street projects in the amount of \$152,216.08 with Blacktop Services payable with TIF funds.
Roll Vote: Thies, Knudson, Hampe and Messa voting aye.

9. Park Projects

a. Knudson moved and Thies seconded to approve the bid from King Construction in the amount of \$29,800 for construction of basketball courts at Oak Park and Julia O'Neil Park payable with TIF funds.

Roll Vote: Knudson, Thies, Hampe and Messa voting aye.

b. Hampe moved and Knudson seconded to approve the purchase of the Goalsetter system goals in the amount of \$8,014.14 for the Oak Park and Julia O'Neil Park basketball courts payable with TIF funds.

Roll Vote: Hampe, Knudson, Thies and Messa voting aye.

c. Knudson moved and Thies seconded to approve the bid from King Construction in the amount of \$13,247 for concrete replacement in Estes Park by the fountain payable with TIF funds.

Roll Vote: Knudson, Thies and Messa voting aye. Hampe voting no.

10. **City Insurance**

Hampe moved and Knudson seconded to authorize staff to solicit request for proposals on the city's general insurance to local insurance agents.

Roll Vote: Hampe, Knudson, Thies and Messa voting aye.

11. **Property Nuisance Issues**

a. The Council discussed the removal of the structures located at 134 and 136 East Rocksylvana Avenue.

b. The house at 313 West Second Street was discussed and options will be looked into.

12. **Leaf Pickup**

Discussion was held in regard to leaf pickup for next year.

13. **Street Department Plow and Sander**

Knudson moved and Hampe seconded that if Pro Repair is not agreeable to the payment of the \$9,850 after receipt of the plow and sander and installation then the purchase shall be made Future Line Truck Equipment in the amount of \$10,375.

Roll Vote: Knudson, Hampe, Thies and Messa voting aye.

14. **Water and Wastewater Projects**

Water/Wastewater Superintendent Scott Peden reviewed the following projects: East Primary Clarifier, West Primary Clarifier, Pine Street Reservoir Repair and North-East Trickling Filter.

15. **Airport Project**

Messa moved and Thies seconded to approve approximately \$9,000 to \$10,000 from LOST and to try and obtain funding from the FAA or the State to crackfill the runway with Heartland Asphalt, Inc. doing the work.

Vote: Messa, Thies, Hampe and Knudson voting aye.

16. **Flex Plan**

Knudson moved and Messa seconded to approve changing the flex plan eligibility date to the renewal date in February.

Vote: Knudson, Messa, Hampe and Thies voting aye.

17. **Annual Financial Report**

Hampe moved and Thies seconded to approve the Annual Financial Report.

Roll Vote: Hampe, Thies, Knudson and Messa voting aye.

18. **TIF Certification**

Thies moved and Knudson seconded to approve Resolution No. 2011-66 directing the filing of certification under Iowa Code Section 403.19.

Roll Vote: Thies, Knudson, Hampe and Messa voting aye.

19. **2011-2012 Budget**

The Council reviewed the current budget revenues and expenses.

20. **Appointment**

Thies moved and Knudson seconded to approve the appointment of Council Member Roger Nissly to the Hotel / Motel Tax Advisory Committee.

Vote: Thies, Knudson, Hampe and Messa voting aye.

ADJOURNMENT

Messa moved and Hampe seconded to adjourn.

Vote: Messa, Hampe, Thies and Knudson voting aye. The meeting adjourned at approximately 9:15 p.m.

Jerrold Welden, Mayor

Attest:

Jon Kies, City Clerk

