

**CITY OF IOWA FALLS
REGULAR MEETING
SEPTEMBER 19, 2022**

The City Council of the City of Iowa Falls met in regular session on Monday, September 19, 2022 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 Gritsch seconded to approve the minutes of the Regular Meeting of August 15, 2022.
Vote: Cutler, Gritsch, Klein, Nissly and Thies voting aye.

APPROVAL OF MONTHLY CLAIMS AND FINANCIALS

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

CONSENT AGENDA

Nissly moved and Klein seconded to approve the following:

1. **Liquor Licenses**

- a. Class E Liquor License for Rock C Liquor, Wine & Tobacco.
- b. Class C Liquor License for Plaza Vera Cruz Mexican Restaurant 2.
- c. Class C Native Wine Permit for Nik's Tipsy Trailers – 5-day permit.

2. **Street Lights**

Resolution No. 2022-54 approving the increase of wattage in the street light at the southwest corner of Main Street and Estes Street.

3. **Depository Resolution and Investment Policy**

Resolution No. 2022-55 naming Depositories and approving the recommendation of staff making no changes in the Investment Policy.

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

OLD BUSINESS

4. Rezoning – Palisades Property

a. Mayor Emerson opened the public hearing on the rezoning of the Palisades Property. Rob Scadden asked what the plan for the property was. The plan was explained by attorney Taylor Nederhoff. There was no further comment. Mayor Emerson closed the public hearing.

b. Thies moved and Cutler seconded to approve on first reading an Ordinance amending the zoning classification of certain real property located within the city limits of the City of Iowa Falls from "AG" Agricultural District to "RM" Residential Multi-Family District.

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

c. 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.

d. Thies moved and Cutler seconded to approve on third and final reading Ordinance No. 1170 amending the zoning classification of certain real property located within the city limits of the City of Iowa Falls from "AG" Agricultural District to "RM" Residential Multi-Family District.

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

5. Iowa Falls Community Investment Corporation

Klein moved and Gritsch seconded to approve the request from IFCIC for a loan guarantee to assist in the construction of two spec homes in Iowa Falls, if needed the funds will come from 20% LOST.

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

6. South Avenue Bridge

a. Presentation by Taylor Roll, Hardin County Engineer in regard to the bridge on South Avenue.

b. Cutler moved and Gritsch seconded to authorize City Manager Jody Anderson to send a letter to the Iowa Department of Transportation requesting funding.

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

7. Economic Engineering

Tam Elerding presented information in regard to Engineering the Future Economy of Hardin County, she stated that this will be a ten-year process and they are hoping to get younger people involved.

8. **UTV/ATVs**

a. Kurt Knudson discussed allowing UTVs/ATVs to operate on City streets.

b. Nissly moved and Klein seconded to direct staff to look into developing an ordinance for consideration.

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

9. **Water & Sewer Force Main Improvements**

a. Cutler moved and Thies seconded to approve Progress Payment #7 to Vieth Construction Company in the amount of \$235,537.12.

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

b. Klein moved and Nissly seconded to approve Change Order #2 in the amount of \$1,659.50.

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

10. **River Road Project**

Nissly moved and Cutler seconded to approve Progress Payment #3 to Gehrke Construction in the amount of \$314,948.25.

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

11. **Treatment Agreement**

a. Nissly moved and Klein seconded to approve an amendment to the Cargill Treatment Agreement.

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

b. Cutler moved and Gritsch seconded to approve a discharge agreement with POET Bioprocessing.

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

12. **Excessive Strength Sewer User Charges**

a. Klein moved and Cutler seconded to approve on second reading an Ordinance amending the Code of Ordinances of the City of Iowa Falls, Iowa, by amending provisions pertaining to sewer user charge system.

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

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

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

c. Thies moved and Klein seconded to approve on third and final reading Ordinance No. 1171 amending the Code of Ordinances of the City of Iowa Falls, Iowa, by amending provisions pertaining to sewer user charge system.
Roll Vote: Thies, Klein, Gritsch, Cutler and Nissly voting aye.

13. **Palisades East Subdivision**

a. Gritsch moved and Nissly seconded to approve the proposed Geotechnical Services with Terracon in an amount not to exceed \$39,900 funding with GO Bonds.
Roll Vote: Gritsch, Nissly, Klein, Thies and Cutler voting aye.

b. The Council discussed the Palisades East Subdivision with Mitch Holtz, Fox Strand Engineers.

14. **Bridge Replacement – River Road over Elk Run**

a. Gritsch moved and Klein seconded to approve Pay Application #1 to Boomerang Corporation in the amount of \$34,386.50.
Roll Vote: Gritsch, Klein, Nissly, Cutler and Thies voting aye.

b. Thies moved and Nissly seconded to approve Pay Application #2 to Boomerang Corporation in the amount of \$13,153.20.
Roll Vote: Thies, Nissly, Klein, Gritsch and Cutler voting aye.

15. **Fire Convention**

Fire Chief Scott Eisentrager reported on the Iowa Firefighter's Association Convention.

16. **EMS Building**

Nissly moved and Gritsch seconded to approve pay application for King Construction in the amount of \$89,307.06 for the EMS Building Project.
Roll Vote: Nissly, Gritsch, Klein, Cutler and Thies voting aye.

17. **Street Projects**

Klein moved and Cutler seconded to approve payment to Heartland Asphalt in the amount of \$407,195.35 for the street projects.
Roll Vote: Klein, Cutler, Thies, Gritsch and Nissly voting aye.

18. **CDBG-CV Program**

a. Mayor Michael R. Emerson opened the public hearing on the plans, specifications, form of contract and estimated construction for the Albrights Bluff Project. There were no oral or written comments. Mayor Emerson closed the public hearing.

b. It was reported that no bids were received possibly due to the timeline being too short. Marty Wymore with Region 6 is looking into getting an extension of the timeline.

c. Gritsch moved and Nissly seconded to approve payment to Studio Melee for the Albrights Bluff project in the amount of \$7,500.00.

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

d. Cutler moved and Klein seconded to approve payment to Wiggles and Giggles in the amount of \$5,067.34.

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

NEW BUSINESS

19. **Ellsworth Park**

Klein moved and Nissly seconded to table the offer from Highland Golf Club to purchase Ellsworth Park for \$15,000.

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

20. **Meyer Municipal Aquatic Center**

Parks & Rec Director Chris Kuhnle reported that they are looking for leaks in the pool with some tests being done last week and more scheduled for this week.

21. **Heritage Care Center Site Urban Renewal Plan**

Nissly moved and Gritsch seconded to approve Resolution No. 2022-56 determining the necessity and setting date of a consultation and a public hearing on a proposed Heritage Care Center Site Urban Renewal Plan for a proposed Urban Renewal Area in the City of Iowa Falls, State of Iowa.

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

22. **Bicycle Registration**

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 repealing Chapter 77 pertaining to bicycle registration.

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

23. **Property Maintenance**

a. Cutler moved and Gritsch 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.

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

b. Klein 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 nuisance abatement procedure.
Roll Vote: Klein, Thies, Cutler, Nissly and Gritsch voting aye.

24. **The Journey Home**

Klein moved and Nissly seconded to approve the use public signs and structure images for apparel promoting The Journey Home movie that was filmed in Iowa Falls.
Roll Vote: Klein, Nissly, Cutler, Thies and Gritsch voting aye.

25. **Legislative Changes**

a. Thies 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 alcoholic beverage control.
Roll Vote: Thies, Klein, Gritsch, Nissly and Cutler voting aye.

b. 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.

c. Cutler moved and Nissly seconded to approve on third and final reading Ordinance No. 1172 amending the Code of Ordinances of the City of Iowa Falls, Iowa, by amending provisions pertaining to alcoholic beverage control.
Roll Vote: Cutler, Nissly, Klein, Gritsch and Thies voting aye.

d. Klein 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 All-Terrain Vehicles.
Roll Vote: Klein, Thies, Cutler, Nissly and Gritsch voting aye.

e. Thies moved and Cutler seconded to approve suspension of the rules and placing on third and final reading.
Roll Vote: Thies, Cutler, Nissly, Klein and Gritsch voting aye.

f. Nissly moved and Thies seconded to approve on third and final reading Ordinance No. 1173 amending the Code of Ordinances of the City of Iowa Falls, Iowa, by amending provisions pertaining to All-Terrain Vehicles.
Roll Vote: Nissly, Thies, Cutler, Klein and Gritsch voting aye.

26. **Halloween Trick or Treat**

Nissly moved and Klein seconded to set the date for Halloween Trick or Treat as October 31, 2022 from 5:30 p.m. until 7:30 p.m.
Roll Vote: Nissly, Klein, Gritsch, Thies and Cutler voting aye.

27. **Closed Session**

Nissly 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 Section 21.5.1.c to discuss union strategy.

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

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

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


ADJOURNMENT

Nissly moved and Klein seconded to adjourn.

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

The meeting adjourned at 8:55 p.m.



Michael R. Emerson, Mayor

Kaci Elkin, City Clerk