

**CITY OF IOWA FALLS
REGULAR MEETING
OCTOBER 17, 2022**

The Mayor and City Council met in regular session on Monday, October 17, 2022 at 6:30 p.m. 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

Klein moved and Nissly seconded to approve the agenda moving Item 18 and Item 23 to be discussed after item 9.

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

APPROVAL OF MINUTES

Thies moved and Cutler seconded to approve the minutes of the Regular Meeting of September 19, 2022 and the Special Meeting of September 26, 2022.

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

APPROVAL OF MONTHLY CLAIMS AND FINANCIALS

Nissly moved and Klein seconded to approve the monthly claims and financials.

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

CONSENT AGENDA

Nissly moved and Thies seconded to approve the following items:

1. **Liquor Licenses**

Class C Liquor License for The Five O Three.

2. **CDBG-CV Program**

a. Payment to Studio Melee for the Albrights Bluff project in the amount of \$107.20.

b. Payment to Wiggles and Giggles in the amount of \$4,207.30.

3. **Police Department**

Confirm purchase of ISIC's radios for the Police Department with the funding coming from 80% LOST.

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

OLD BUSINESS

4. UTVs and ATVs

Thies moved and Cutler seconded to approve Resolution No. 2022-57 designating City Streets for ATV and UTV use.

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

5. Weaver's Cove & Test Wells

a. Mayor Emerson opened the public hearing on the proposed Bidding Requirements, Contract Documents (Plans, Specifications, and Form of Contract), and Opinion of Probable Cost for the Weaver's Cove & Test Wells Project. There was no public comment. Mayor Emerson closed the public hearing.

b. Klein moved and Nissly seconded to approve Resolution No. 2022-58 approving Plans, Specifications, Form of Agreement, and Opinion of Cost for Public Improvements.

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

c. The council reviewed the Weaver's Cove Well & West Well Project Bids. Cutler moved and Thies seconded to accept the bid from The Northway Corporation in the amount of \$873,173.00 with the funds coming from water bonds.

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

d. Nissly moved and Klein seconded to approve Resolution No. 2022-59 awarding Contract for Public Improvements, authorizing execution of Contract, and authorizing execution of Notice to Proceed.

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

6. Water & Sewer Force Main Improvements

Nissly moved and Cutler seconded to approve Progress Payment #8 to Vieth Construction Company in the amount of \$126,778.79.

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

7. River Road Utility Extensions and Roadway Improvements

Cutler moved and Klein seconded to approve Progress Payment #4 to Gehrke Construction in the amount of \$272,460.76.

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

8. Palisades East Subdivision

a. Nissly moved and Thies seconded to use Wastewater Bonds instead of GO Bonds for the Geotechnical Services with Terracon.

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

b. Mitch Holtz with FOX Strand Engineering discussed the Palisades East Subdivision.

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

a. Klein moved and Thies seconded to approve Supplemental Agreement No. 2 for Shuck-Britson, for additional construction observation and documentation associated with the increased working days and construction scope of the Elk Run Bridge Replacement project. The increased scope includes submittal reviews for culvert modifications to accommodate the water main and associated details, miscellaneous coordination associated with utility relocations, and an allowance of up to 40 additional working days for construction observation beyond the original contract estimate working days. The Supplemental Agreement is hourly, not to exceed \$68,790. The funds coming from GO Bonds or Water or Wastewater Bonds.
Roll Vote: Klein, Thies, Cutler, Nissly and Cutler voting aye.

b. Nissly moved and Thies seconded to approve Progress Payment #3 to Boomerang Corporation in the amount of \$200,009.15.
Roll Vote: Nissly, Thies, Cutler, Klein and Gritsch voting aye.

c. Cutler moved and Thies seconded to approve Change Order #2 in the amount of \$44,440.00 for storm sewer for Rosebud with the funds coming from Road Use Tax Funds.
Roll Vote: Cutler, Thies, Gritsch, Klein and Nissly voting aye.

d. Klein moved and Nissly seconded to approve Change Order No. #3 in the amount of \$21,500 for lowering the water main at the Elk Run culvert with the funds coming from Water Bonds.
Roll Vote: Klein, Nissly, Cutler, Theis and Gritsch voting aye.

18. **Public Utility Easements on River Road**

a. Thies moved and Cutler seconded to approve Resolution No. 2022-61 approving easements for the extension of public and franchise utilities for 2516 River Road.
Roll Vote: Thies, Cutler, Nissly, Klein and Gritsch voting aye.

b. Klein moved and Nissly seconded to approve Resolution No. 2022-62 approving easements for the extension of public and franchise utilities for 2026 River Road.
Roll Vote: Klein, Nissly, Cutler, Thies and Gritsch voting aye.

c. Nissly moved and Thies seconded to approve Resolution No. 2022-63 approving easements for the extension of public and franchise utilities for 2224 River Road subject to some items being addressed.
Roll Vote: Nissly, Thies, Cutler, Klein and Gritsch voting aye.

d. Cutler moved and Klein seconded to approve Resolution No. 2022-64 approving easements for the extension of public and franchise utilities for 2434 River Road.
Roll Vote: Cutler, Klein, Gritsch, Nissly and Thies voting aye.

e. Thies moved and Nissly seconded to approve Resolution No. 2022-65 approving easements for the extension of public and franchise utilities for 2122 River Road.
Roll Vote: Thies, Nissly, Klein, Gritsch and Cutler voting aye.

f. Klein moved and Nissly seconded to approve Resolution No. 2022-66 approving easements for the extension of public and franchise utilities for 2024 River Road.
Roll Vote: Klein, Nissly, Cutler, Thies and Gritsch voting aye.

g. Cutler moved and Nissly seconded to approve Resolution No. 2022-67 approving easements for the extension of public and franchise utilities for 2324 River Road.
Roll Vote: Cutler, Nissly, Klein, Gritsch and Thies voting aye.

h. Thies moved and Klein seconded to approve Resolution No. 2022-68 approving easements for the extension of public and franchise utilities for Rosebud Farms, LLC, Parcel C 1997-3247.
Roll Vote: Thies, Klein, Gritsch, Nissly and Cutler voting aye.

i. This item was deleted, as it was a duplicate of item e.

j. Nissly moved and Cutler seconded to approve Resolution No. 2022-69 approving easements for the extension of public and franchise utilities for 2540 River Road.
Roll Vote: Nissly, Cutler, Thies, Klein and Gritsch voting aye.

k. Nissly moved and Thies seconded to approve Resolution No 2022-70 approving easements for the extension of public and franchise utilities for 2530 River Road.
Roll Vote: Nissly, Thies, Cutler, Klein and Gritsch voting aye.

l. Klein moved and Cutler seconded to approve Resolution No. 2022-71 approving easements for the extension of public and franchise utilities for 2552 River Road.
Roll Vote: Klein, Cutler, Thies, Gritsch and Nissly voting aye.

m. Thies moved and Nissly seconded to approve Resolution No. 2022-72 approving easements for the extension of public and franchise utilities for 2428 River Road.
Roll Vote: Thies, Nissly, Klein, Gritsch and Cutler voting aye.

23. **3 Phase Electric Power**

Cutler moved and Klein seconded not to pay for Alliant to place 3 phase electric power to River Road.
Roll Vote: Cutler, Klein, Gritsch, Nissly and Thies voting aye.

10. **Airport Projects**

a. Nissly moved and Klein seconded to approve Pay Estimate #9 in the amount of \$1,562.75 to Godbersen-Smith Construction Co.

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

b. Thies moved and Klein seconded to approve Change Order #1 in the amount of \$12,043.90 for improvements needed to the vault electrical panel, pending FAA approval for the Parallel Taxiway B Project.

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

c. Thies moved and Nissly seconded to approve funding for the Airport Master Plan with 80% LOST for upfront costs which will be reimbursed after July and an additional \$6,165 over the budgeted \$22,500 in 2022/2023 CIP also using 80% LOST.

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

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

a. Mayor Emerson opened the public hearing on the proposed Heritage Care Center Site Urban Renewal Plan. There were no oral or written comments. Mayor Emerson closed the public hearing.

b. Cutler moved and Klein seconded to approve Resolution No. 2022-60 determining an area of the City to be an Economic Development and Blighted Area, and that the rehabilitation, conservation, redevelopment, development, or a combination thereof, of such area is necessary in the interest of the public health, safety or welfare of the residents of the City; designating such area as appropriate for Urban Renewal Projects; and adopting the Heritage Care Center Site Urban Renewal Plan.

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

c. Nissly moved and Klein seconded to approve on first reading an Ordinance providing that the general property taxes levied and collected each year on all property located within the Heritage Care Center Site Urban Renewal Area, in the City of Iowa Falls, County of Hardin, State of Iowa, by and for the benefit of the State of Iowa, City of Iowa Falls, County of Hardin, Iowa Falls Community School District, and other taxing districts be paid to a special fund for payment of principal and interest on loans, monies advanced to and indebtedness, including bonds issued or to be issued, incurred by the City in connection with the Heritage Care Center Site Urban Renewal Area.

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

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

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

e. Thies moved and Klein seconded to approve on third and final reading Ordinance No. 1174 providing that the general property taxes levied and collected each year on all

property located within the Heritage Care Center Site Urban Renewal Area, in the City of Iowa Falls, County of Hardin, State of Iowa, by and for the benefit of the State of Iowa, City of Iowa Falls, County of Hardin, Iowa Falls Community School District, and other taxing districts be paid to a special fund for payment of principal and interest on loans, monies advanced to and indebtedness, including bonds issued or to be issued, incurred by the City in connection with the Heritage Care Center Site Urban Renewal Area.

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

12. **Meyer Municipal Aquatic Center**

Cutler moved and Nissly seconded to approve up to \$25,000 for repairs to the pool using remaining Barlow funds and 80% LOST.

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

13. **Bicycle Registration Ordinance**

a. Thies moved and Klein seconded to approve on second 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: Thies, Klein, Gritsch, Nissly and Cutler voting aye.

b. Klein moved and Cutler seconded to suspend the rules and place on third and final reading.

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

c. Cutler moved and Thies seconded to approve on third and final reading Ordinance No. 1175 amending the Code of Ordinances of the City of Iowa Falls, Iowa, by repealing Chapter 77 pertaining to bicycle registration.

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

14. **Property Maintenance Ordinance**

a. Cutler moved and Nissly 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 property maintenance.

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

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

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

c. Thies moved and Cutler seconded to approve on third and final reading Ordinance 1176 amending the Code of Ordinances of the City of Iowa Falls, Iowa, by amending provisions pertaining to property maintenance.

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

d. Nissly 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 nuisance abatement procedure.

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

e. Klein moved and Thies seconded to suspend the rules and place on third and final reading.

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

f. Thies moved and Nissly seconded to approve on third and final reading Ordinance No. 1177 amending the Code of Ordinances of the City of Iowa Falls, Iowa, by amending provisions pertaining to nuisance abatement procedure.

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

15. **Ash Tree Removal**

Thies moved and Nissly seconded to approve the bid from Robb Tree and Stump Service in the amount of \$650 per tree for removal of ash trees in the City right-of-way.

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

NEW BUSINESS

16. **Bluebird Fiber Network**

Cutler moved and Nissly seconded to allow Bluebird Fiber Network to run conduit under the River Street Bridge contingent upon working with and approval of the Water/Wastewater Superintendent.

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

17. **Street Light**

Cutler moved and Thies seconded to table the request from a citizen for a street light at the intersection of Richmond Avenue and Whiting Avenue to allow the Council Members a chance to look at the area.

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

19. **Annual Bus Tour**

Nissly moved and Cutler seconded to discontinue the annual nuisance bus tour and replacing it with a "Day of Service" event.

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

20. **2023 Fire Convention**

Nissly moved and Cutler seconded to authorize City Manager Jody Anderson and Assistance City Manager Kaci Elkin to create a committee for the Firefighters Convention.

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

21. **CD Investments**

Thies moved and Cutler seconded to authorize cashing in some CD's early in order to reinvest at a higher interest rate.

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

22. **EcoConnexions from the Ground Up Program**

Cutler moved and Thies seconded to approve the request from City Manager to apply for the CN EcoConnexions from the Ground Up Program.

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

24. **Closed Session**

Klein 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.

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

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

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

ADJOURNMENT

Thies moved and Nissly seconded to adjourn.

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

The meeting adjourned at 9:30 p.m.


Michael R. Emerson


Kaci Elkin, City Clerk