

**CITY OF IOWA FALLS
REGULAR MEETING
AUGUST 21, 2023**

The Mayor and City Council of the City of Iowa Falls met in regular session on Monday, August 21, 2023 at 6:30 p.m. with Mayor Micheal R. Emerson presiding over the meeting. Council Members Micah Cutler, Michelle Gritsch, Steve Klein, Roger Nissly and Bruce Thies present. Also present was City Manager Jody Anderson.

ACCEPTANCE OF THE AGENDA

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

APPROVAL OF MINUTES (by consent)

Thies moved and Cutler seconded to approve the minutes of the Regular Meeting of July 17, 2023 and the Special Meeting of July 24, 2023.
Vote: Thies, Cutler, Nissly, Klein and Gritsch voting aye.

APPROVAL OF MONTHLY CLAIMS AND FINANCIALS

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

CONSENT AGENDA

Gritsch moved and Cutler seconded to approve the following items:

1. **Liquor License**

- a. Special Class C Liquor License for Chuong Garden.
- b. Class C Liquor License for 502 Grill House.
- c. Class E Retail Alcohol License for Fareway.
- d. Class B Retail Alcohol License for Kwik Trip, Inc.

2. **Tax Abatement Applications**

- a. Tax Abatement Application for 1022 Sherman Street owned by Iowa Falls Community Investment Corporation.
- b. Tax Abatement Application for 1420 Georgetown Road owned by Iowa Falls Community Investment Corporation.

3. **CDBG-CV Program**

Payment to Wiggles and Giggles in the amount of \$4,111.26.

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

OLD BUSINESS

4. **Weavers Cove Well and Test Wells**

Thies moved and Gritsch seconded to approve Change Order No. 2 for 120 additional working days.

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

5. **Sale of 322 College**

a. Mayor Emerson opened the public hearing on the sale of 322 College Avenue, currently owned by Ellsworth Municipal Hospital to Daralee LLC. There was no public comment. Mayor Emerson closed the public hearing.

b. Thies moved and Cutler seconded to approve Resolution No. 2023-33 approving the sale of 322 College Avenue, currently owned by Ellsworth Municipal Hospital to Daralee LLC.

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

6. **Sale of Lots on Georgetown Road**

a. Mayor Emerson opened the public hearing on the sale of Lots 1, 2, and 3 of Georgetown East First Addition to Iowa Falls, Hardin County, Iowa to Iowa Falls Investment Corporation. There was no public comment. Mayor Emerson closed the public hearing.

b. Klein moved and Gritsch seconded to approve Resolution No. 2023-34 approving the sale of Lots 1, 2, and 3 of Georgetown East First Addition to Iowa Falls Community Investment Corporation.

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

7. **River Road Utility and Roadway Improvements**

a. Cutler moved and Nissly seconded to approve Change Order No. 2 in the amount of \$13,288.00.

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

b. Nissly moved and Thies seconded to approve Progress Payment #10 in the amount of \$263,038.65 to Gehrke, Inc.

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

8. **Palisades East – Grading and Public Improvements**

Klein moved and Gritsch seconded to approve Progress Payment #3 in the amount of \$500,170.60 to Cole Excavating, LLC.

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

9. **Heritage Estates – Grading & Public Improvements**

Nissly moved and Thies seconded to approve Progress Payment #2 in the amount of \$88,739.50 to McDowell & Sons Contractors, Inc.

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

10. **Iowa Falls Water and Sewer Force Main Project**

a. Klein moved and Thies seconded to approve the Early Release of Retainage letter from Vieth Construction.

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

b. Gritsch moved and Nissly seconded to approve Progress Payment 12 (retainage) in the amount of \$50,955.29 to Vieth Construction.

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

c. Thies moved and Klein seconded to approve the Engineer's Statement of Completion.

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

d. Nissly moved and Cutler seconded to approve Resolution No. 2023-35 accepting work of the contractor on the Iowa Falls Water and Sewer Force Main Project.

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

11. **Right of Way Services Agreement**

Klein moved and Gritsch seconded to approve the Right of Way Services Agreement.

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

12. **Bridge over the Iowa River on South Avenue**

Thies moved and Cutler seconded to approve Resolution No. 2023-36 establishing 28E Agreement between the City of Iowa Falls, Iowa and Hardin County, Iowa for the purpose of replacing Bridge over the Iowa River on South Avenue.

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

13. **Palisades Development**

Discussion was held in regard to the Palisades Development.

14. **Rehabilitate Runway 13/31**

Gritsch moved and Thies seconded to approve Construction Administration/Observation Services for the Project in the amount of \$21,480.00.
Roll Vote: Gritsch, Thies, Cutler, Nissly and Klein voting aye.

15. **Albrights Bluff Facade Improvements**

Cutler moved and Gritsch seconded to approve additional work for Albright's Bluff Facade Improvements with the funds coming from 80% LOST.
Roll Vote: Cutler, Gritsch, Klein, Nissly and Thies voting aye.

16. **City Concrete Projects**

Thies moved and Klein seconded to reject all bids and to rebid for small City concrete projects.
Roll Vote: Thies, Klein, Gritsch, Nissly and Cutler voting aye.

17. **Leaf and Brush Program**

Leaf and brush pickup will continue for the remainder of the year and changes for next year will be discussed at a later date.

NEW BUSINESS

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

a. Gritsch moved and Cutler seconded to approve sending a letter requesting an extension.

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

b. Klein moved and Nissly seconded to set date for a public hearing on the project for the regular City Council meeting on September 18, 2023 at the 6:30 p.m. meeting.

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

19. **Pool Vacuum**

Discussion was held in regard to purchasing a new pool vacuum. Approval was deferred so additional bids could be obtained.

20. **Capital Improvement Program – Police Department**

Nissly moved and Cutler seconded to approve new flooring in the police department with additional funds coming from Fund 78.

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

21. **National Rail Safety Week**

Thies moved and Klein seconded to approval the Proclamation proclaiming September 18th to the 24th, 2023, National Rail Safety Week.

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

22. **Housing Committee**

Discussion was held in regard to creating a Housing Committee.

23. **Legislative Update Ordinances**

a. Klein 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 fiscal management.

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

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

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

c. Thies moved and Gritsch seconded to approve on third and final reading Ordinance No. 1183 amending the Code of Ordinances of the City of Iowa Falls, Iowa, by amending provisions pertaining to fiscal management.

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

d. 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 liquor licenses and cigarette and tobacco permits.

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

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

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

f. Thies moved and Nissly seconded to approve on third and final reading Ordinance No. 1184 amending the Code of Ordinances of the City of Iowa Falls, Iowa, by amending provisions pertaining to liquor licenses and cigarette and tobacco permits.

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

24. **Appointments**

Gritsch moved and Thies seconded to approve the Mayor's appointment of Larry Phipps to fill a vacancy on the Board of Adjustment for a term to expire July 2027.

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

25. **Closed Session**

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

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

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

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

ADJOURNMENT

Thies moved and Nissly seconded to adjourn.

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

The meeting adjourned at 7:55 p.m.



Michael R. Emerson, Mayor



Kaci Elkin, City Clerk