

**CITY OF IOWA FALLS  
REGULAR CITY COUNCIL MEETING  
FEBRUARY 20, 2024**

The Mayor and City Council of the City of Iowa Falls met in regular session on Tuesday, February 20, 2024, at 6:30 p.m. with Mayor Michael R. Emerson presiding over the meeting. Council Members Micah Cutler, Dave Henry, Steve Klein, Roger Nissly and Bruce Thies were present. Also present was City Manager Jody Anderson.

**ACCEPTANCE OF THE AGENDA**

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

**APPROVAL OF MINUTES**

Nissly moved and Klein seconded to approve the minutes of the Regular Meeting of January 15, 2024.  
Vote: Nissly, Klein, Henry, Thies and Cutler voting aye.

**APPROVAL OF MONTHLY CLAIMS AND FINANCIALS**

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

**CONSENT AGENDA**

Klein moved and Nissly seconded to approve the following:

1. **Liquor License**
  - a. Class B Retail Alcohol License for Dollar General.
  - b. Class E Retail Alcohol License for Casey's at 904 Washington Avenue.
  - c. Class C Retail Alcohol License for Highland Golf Club.
  - d. Class C Retail Alcohol License for Las Flores.
  - e. Class E Retail Alcohol License for Walmart.
  - f. Class E Retail Alcohol License for Hy-Vee.

2. **CDBG-CV Program**

Payment to Wiggles & Giggles in the amount of \$2,624.99.

3. **Street Light**

Resolution No. 2024-03 approving relocating one street light, one pole to the west of the current location in the alley behind 610 and 612 Washington Avenue.

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

**OLD BUSINESS**

4. **Tree Ordinance**

a. 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 trees.

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

c. Klein moved and Thies seconded to approve on third and final reading Ordinance No. 1194 amending the Code of Ordinances of the City of Iowa Falls, Iowa, by amending provisions pertaining to trees.

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

5. **GO Bonds**

a. Scott Stevenson with DA Davidson, discussed the issuance of bonds for various projects.

b. Klein moved and Nissly seconded to approve Resolution No. 2024-04 fixing date for a meeting on the authorization of a Loan Agreement and the issuance of not to exceed \$5,000,000 General Obligation Capital Loan Notes of the City of Iowa Falls, State of Iowa (for essential corporate purposes), and providing for publication of notice thereof, for the March 18, 2024 City Council meeting.

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

6. **On-Call Engineering Services**

Cutler moved and Nissly seconded to approve the On-Call Engineering Services Task Orders 24-02, 24-03, 24-04, and 24-05 with Strand Associates, Inc. for On-Call Development Review, On-Call General Engineering Services, On-Call Water Supply Engineering Services, and On-Call Wastewater Engineering Services for 2024.

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

7. **Utility Extension Feasibility Studies for Business Prospects**

Thies moved and Klein seconded to authorize Strand Associates to work with City Manager and IFADC Director to get cost estimates for business prospects.

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

8. **Palisades Estates Plat 2**

a. Klein moved and Nissly seconded to approve Task Order No. 24-01 with Strand Associates, Inc. for construction related services for the project.

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

b. Mayor Emerson opened the public hearing on approval of plans, specs and estimate of cost for Palisades Estates Plat 2 Construction. There were no oral or written comments. Mayor Emerson closed the public hearing.

c. Cutler moved and Nissly seconded to approve Resolution No. 2024-05 approving plans, specs and estimate of cost for Palisades Estates Plat 2 Construction.

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

d. Mitch Holtz, Engineer with Strand Associates discussed the three bids received that were non-conforming. Nissly moved and Klein seconded to reject the nonconforming bids.

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

e. The bid summary was reviewed.

f. Klein moved and Cutler seconded to approve the low bid from Gehrke, Inc. in the amount of \$1,346,132.05 with Bid Alternative No. 1 in the amount of \$323,324.00 and approving Resolution No. 2024-06 awarding contract for public improvements, authorizing execution of contract and authorizing execution of notice to proceed.

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

9. **River Road Utility Extensions & Roadway Improvements**

Nissly moved and Thies seconded to approve Pay Request #14 in the amount of \$85,333.37 to Gehrke, Inc.

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

10. **Palisades Land Co LLC**

Robin Sampson, representing Palisades Land Co. LLC, stated that they would like to keep their project moving by starting the dirt work and concrete work for the

development of four duplex buildings prior to the execution of the Development Agreement.

Nissly moved and Klein seconded to allow Palisades Land Co. LLC to begin working on their project prior to execution of the Development Agreement.

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

11. **Preliminary Plats**

a. Thies moved and Cutler seconded to approve on first reading an Ordinance amending the Code of Ordinances of the City of Iowa Falls, Iowa, by repealing Section 170.09, pertaining to Hearing on a Preliminary Plat.

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

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

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

c. Thies moved and Cutler seconded to approve on third and final reading an Ordinance No. 1195 amending the Code of Ordinances of the City of Iowa Falls, Iowa, by repealing Section 170.09, pertaining to Hearing on a Preliminary Plat.

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

12. **Glen Drive Bridge**

Klein moved and Thies seconded to move forward with design of improvements to the Glen Drive Bridge (Wildcat Glen) up to \$250,000.

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

13. **Linear Park Sidewalk**

Nissly moved and Cutler seconded to move forward with staking out the sidewalk extension in Linear Park sidewalk (along Foster Boulevard) from Locust Street to Ellis Avenue and to look into funding sources.

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

14. **Gas Extension**

Nissly moved and Thies seconded to approve the gas extension through Rosebud Farms to Palisades Development – not to exceed \$600,000 with the funds coming from 80% LOST.

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

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

Cutler moved and Nissly seconded to approve Progress Payment #8 to Cole Excavating in the amount of \$62,222.04 which is an early release of retained funds.  
Roll Vote: Cutler, Nissly, Klein, Henry and Thies voting aye.

16. **River Road Service Extensions**

Cutler moved and Klein seconded to direct Mitch Holtz, Strand Associates, to move forward with publicly bidding extending water/sewer services to 12 residential properties along River Road with the funds coming from water and wastewater cash.  
Roll Vote: Cutler, Klein, Henry, Nissly and Thies voting aye.

17. **Development Agreement with England Commercial Rentals RHM, LLC**

Klein moved and Cutler seconded to approve Resolution No. 2024-07 fixing date for a public hearing on the proposal to enter into a Development Agreement with England Commercial Rentals RHM, LLC, and providing for publication of notice thereof, for the March 18, 2024 City Council meeting.  
Roll Vote: Klein, Cutler, Thies, Henry and Nissly voting aye.

18. **Iowa Falls Airport**

Thies moved and Klein seconded to set the date a public hearing on Iowa Falls Municipal Airport Rehabilitate Taxiway A project regarding approval of plans, specifications, form of contract, and estimate of cost for the March 18, 2024, City Council meeting located in the City Council Chambers at 901 Washington Avenue, Iowa Falls, Iowa.  
Roll Vote: Thies, Klein, Henry, Nissly and Cutler voting aye.

**NEW BUSINESS**

19. **Utility Bills**

a. Thies moved and Cutler seconded to waive the late fee in the amount of \$6.21 for Jimm Lindsay's utility bill.  
Roll Vote: Thies, Cutler, Nissly, Klein and Henry voting aye.

b. Nissly moved and Thies seconded to approve the request from Winfield United LLC to have their late fee in the amount of \$9.95 waived.  
Roll Vote: Nissly, Thies, Cutler, Henry and Klein voting aye.

20. **Streets and Sanitation Department**

- a. The Mayor and City Council discussed street repairs throughout the city.

Thies moved and Klein seconded to do up to \$600,000 in street repairs using GO Bonds.

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

- b. Nissly moved and Thies seconded to contact CH McGuiness to have them look into the entire heating system at the Street Garage.

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

- c. Nissly moved and Cutler seconded to revise the leaf program to one pickup date in October and one in November and require the use of clear plastic bags for pickup, leaves can still be taken out to the street garage.

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

- d. Klein moved and Nissly seconded to approve the purchase of a garbage truck from Kilburg Equipment in the amount of \$175,000.00 which includes the trade in of a 2015 Freightliner.

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

21. **FY2022 Audit**

- Cutler moved and Thies seconded to approve the FY2022 Audit.

Roll Vote: Cutler, Thies, Henry, Thies and Cutler voting aye.

22. **Albrights Bluff**

- a. Cutler moved and Nissly seconded to approve final payment to Studio Melee in the amount of \$1,671.31, with the funds coming from CDBG Revolving Loan Fund.

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

- b. Nissly moved and Thies seconded to approve payback to the Iowa Economic Development Authority in the amount of \$257.00 payback for administrative fees and \$3,187.00 payback for architectural fees for a total of \$3,444.00, with the funds coming from 80% LOST.

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

23. **Police Department**

Nissly moved and Klein seconded to authorize the Police Chief to get quotes for body cams and car cameras.

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


24. **City Council Pictures**

Council Member Cutler discussed getting photographs of the Mayor and City Council Members to put on Facebook, she will work on setting dates and times to get this done.

**ADJOURNMENT**

Nissly moved and Thies seconded to adjourn.  
Vote: Nissly, Thies, Cutler, Klein and Henry voting aye.  
The meeting adjourned at 9:30 p.m.

  
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Kaci Elkin, City Clerk

  
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Michael R. Emerson, Mayor