

**CITY OF IOWA FALLS  
REGULAR MEETING  
MAY 20, 2024**

The Mayor and City Council of the City of Iowa Falls met in regular session on Monday, May 20, 2024, at 6:30 p.m. with Mayor Pro-Tem Roger Nissly presiding over the meeting. Council Members Micah Cutler, Dave Henry, Steve Klein and Bruce Thies were present. Mayor Michael Emerson was absent. 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**

Klein moved and Thies seconded to approve the minutes of the Regular Meeting of April 15, 2024 and the Special Meeting of May 7, 2024.  
Roll Vote: Klein, Thies, Cutler, Nissly and Henry voting aye.

**APPROVAL OF MONTHLY CLAIMS AND FINANCIALS**

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

**CONSENT AGENDA**

Klein moved and Cutler seconded to approve the following items:

1. **CDBG-CV Program**

Payment to Wiggles & Giggles Daycare in the amount of \$2,693.00.

2. **Assembly Park Restroom Project**

Pay Request #3 to Hoversten Construction in the amount of \$17,278.90.

3. **J.A.M. Concert**

a. Noise ordinance variance on Friday, May 24 from 12:00 noon until 11:30 p.m. for the music.

b. Resolution No. 2024-22 approving the closing of 5 parking spaces from 1:00 p.m. until 9:00 p.m. on Friday, May 24, 2024 for a vendor from Hy-Vee.

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

## **OLD BUSINESS**

### **4. Palisades East – Grading and Public Improvements**

Cutler moved and Nissly seconded to approve Pay Application #10 to Cole Excavating, LLC in the amount of \$678.75.

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

### **5. Palisades Estate Plat 2**

Thies moved and Klein seconded to approve Pay Application to Gehrke, Inc. in the amount of \$231,436.40.

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

### **6. Heritage Estates – Grading and Public Improvements**

Nissly moved and Thies seconded to approve Pay Application #7 to McDowell & Sons Contractors, Inc in the amount of \$13,471.00 with the funds coming from Fund 73 Revolving Loan Fund and repaid by TIF.

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

### **7. R&T Enterprises Development Agreement**

a. Mayor Pro-Tem Nissly opened the public hearing on the proposal to enter into a Development Agreement with R&T Enterprises, Inc. There were no oral or written comments. Mayor Pro-Tem Nissly closed the public hearing.

b. Cutler moved and Nissly seconded to approve Resolution No. 2024-23 approving and authorizing execution of a Development Agreement by and between the City of Iowa Falls and R&T Enterprises, Inc. (Entertainment Venue).

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

### **8. Library Roof**

Discussion was held in regard to the roof replacement. Staff will move forward with getting the drains replaced. The roof committee will continue to meet.

### **9. FY2023-2024 Budget Amendment**

a. Mayor Pro-Tem Nissly opened the public hearing on an amendment to the FY23-24 Budget. There were no oral or written comments. Mayor Pro-Tem Nissly closed the public hearing.

b. Klein moved and Cutler seconded to approve Resolution No. 2024-24 amending the budget for the fiscal year ending June 30, 2024.

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

10. **2024 General Obligation Capital Loan Notes**

a. Nissly moved and Klein seconded to approve Resolution No. 2024-25 directing the Acceptance of a Proposal to Purchase \$4,500,000 (Subject to Adjustment) General Obligation Capital Loan Notes, Series 2024; and approving the Form and Authorizing Execution of a Note Purchase Agreement.

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

b. Klein moved and Thies seconded to approve Resolution No. 2024-26 appointing Paying Agent, Note Registrar, and Transfer Agent, approving the Paying Agent and Note Registrar and Transfer Agent Agreement and authorizing the Execution of the Agreement.

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

c. Nissly moved and Cutler seconded to approve Resolution No. 2024-27 approving and authorizing a form of Loan Agreement and authorizing and providing for the issuance, and levying a tax to pay the Notes; approval of the Tax Exemption Certificate and Continuing Disclosure Certificate.

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

**NEW BUSINESS**

11. **Fire Department**

Cutler moved and Nissly seconded to approve the purchase of a door entry/security system and computer upgrade in the amount of \$22,682.74 from RW Sound with 50% coming from the General Fund and 50% coming from the Burn Account.

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

12. **Airport**

Nissly moved and Thies seconded to approve spray foaming the shop walls in the amount of \$7,500.00 and purchasing a heater in the amount of \$5,982.02, this building houses the snow plow and tractor with the funds coming from 80% LOST.

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

13. **Ambulance**

Cutler moved and Henry seconded to approve the purchase of a Stryker cot and system in the amount of \$50,159 and the difference of the \$3,260 for the ambulance, with the funding coming from General Fund, this was not included in the original quote.

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

14. **2023 Water Quality Report**

The 2023 Consumer Confidence Report – Water Quality Report for the Iowa Falls Water Department will not be mailed out to each individual water user, it will be posted on the following website <https://iowaccr.org/Iowa-Falls> .

15. **TIF Ordinance**

a. Nissly moved and Klein seconded to approve on first reading an Ordinance amending Ordinance No. 647, 671, 725, 809, 822, 886, 890, 948, 1038 and 1069 and providing that general property taxes shall no longer be divided **on certain property** located within the Iowa Falls Urban Renewal Area, in the City of Iowa Falls, County of Hardin, State of Iowa (removing "Amendment No. 3 Area", "Amendment No. 4 Area", and "Amendment No. 5 Area" from division of taxes only).

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

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

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

c. Thies moved and Nissly seconded to approve on third and final reading Ordinance No. 1204 amending Ordinance No. 647, 671, 725, 809, 822, 886, 890, 948, 1038 and 1069 and providing that general property taxes shall no longer be divided **on certain property** located within the Iowa Falls Urban Renewal Area, in the City of Iowa Falls, County of Hardin, State of Iowa (removing "Amendment No. 3 Area", "Amendment No. 4 Area", and "Amendment No. 5 Area" from division of taxes only).

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

16. **No Parking on Cedar Street**

The Council discussed removing the no parking along Cedar by the cemetery. This item will be brought to the June meeting for possible action.

17. **Fund Transfer**

Cutler moved and Thies seconded to approve the transfer of \$100,000 from General Fund to 20% LOST and earmarked for first payment to R&T Enterprises.

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

18. **Appointments**

a. Nissly moved and Thies seconded to approve the reappointment of Kathy Rauscher to the Board of Adjustment for a term to expire May of 2029.

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

b. Klein moved and Thies seconded to appoint Kaci Elkin as the Interim City Manager.

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

19. **Authorized Signers**

Nissly moved and Thies seconded to approve adding the Mayor and the five City Council Members as authorized signers on the Green Belt Bank accounts.

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

20. **Closed Session**

Nissly moved and Klein seconded to approve going into closed session as allowed in Iowa Code Section 21.5.1.j to discuss land acquisition and disposal and Iowa Code Section 21.5.1.c to discuss pending litigation.

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

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

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

**ADJOURNMENT**

Nissly moved and Thies seconded to adjourn.

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

The meeting adjourned at 8:21 p.m.

  
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Roger Nissly, Mayor Pro-Tem

  
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Kaci Elkin, City Clerk