

**CITY OF IOWA FALLS  
REGULAR MEETING  
JUNE 17, 2024**

The Mayor and City council of the City of Iowa Falls met in regular session on Monday, June 17, 2024 at 6:30 p.m. with Mayor Mike Emerson presiding over the meeting. Council Members Micah Cutler, Dave, Henry, Steve Klein, Roger Nissly and Bruce Thies were present. Also present was Interim City Manager Kaci Elkin.

**ACCEPTANCE OF THE AGENDA**

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

**APPROVAL OF MINUTES**

Nissly moved and Cutler seconded to approve the minutes of the Regular Meeting of May 20, 2024.  
Roll vote: Nissly, Culter, Thies, Klein and Henry voting aye.

**APPROVAL OF MONTHLY CLAIMS AND FINANCIALS**

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

**CONSENT AGENDA:**

Klein moved and Nissly seconded to approve the following items:

1. **Liquor Licenses**

- a. Class B Beer Permit for Riverbend Rally – 5 day permit.
- b. Class C Liquor License for the Iowa Falls Elks Lodge.
- c. Class E Retail Alcohol License for Casey's on N Oak Street.

2. **Cigarette Permits**

Cigarette Permits for Casey's General Stores at 1223 N Oak, 1801 Washington, 904 Washington, Dollar General, Fareway, Handi Stop, Hy-Vee Food Store, Kwik Star, MC Lumber and Hardware, Oak Tobacco Inc., Rock C Liquor, Wine & Tobacco and Walmart.

3. **Street Closure**

Resolution 2024-28 closing Park Avenue from Fremont to McKinnley on Wednesday, July 3, 2024 for a neighborhood picnic.

4. **CDBG-CV Program**

Payment to Wiggles & Giggles Daycare in the amount of \$1,732.90

5. **FY2024-2025 Annual Salaries**

Resolution 2024-29 approving the annual salaries for FY2024-2025.

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

**OLD BUSINESS**

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

Thies moved and Cutler seconded to approve the Final Pay Application #11 to Cole Excavating, LLC in the amount of \$6,432.10.

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

7. **River Road Utility Extension & Roadway Improvements**

Nissly moved and Klein seconded to approve the Pay Application #15 to Gehrke Inc. in the amount of \$274,079.16.

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

8. **Palisades Estate Plat 2**

Cutler moved and Thies seconded to approve the Pay Application to Gehrke, Inc. in the amount of \$59,554.42.

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

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

a. Thies moved and Klein seconded to approve the Change Order No. 2 (adjustment of quantities) in the amount of a deduct of \$8,717.80.

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

b. Nissly moved and Cutler seconded to approve the Pay Application #8 to McDowell & Sons Contractors, Inc (payment of retainage after 30 days) in the amount of \$48,984.51 with the funds coming from Fund 73 Revolving Loan Fund and repaid by TIF.

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

c. Thies moved and Cutler seconded to Review the Final Completion Letter and Notice of Acceptability of Work.

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

d. Nissly moved and Klein seconded to approve Resolution 2024-30 accepting work of contractor on Heritage Estates – Grading and Public Improvements.

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

10. **Palisades Land Development**

a. Nissly moved and Cutler seconded to approve the reimbursement for Palisades Estates Plat 2 Construction Costs in the amount of \$202,050.07.

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

b. Cutler moved and Klein seconded to approve the for Palisades Estate Plat 1 Design Costs in the amount of \$3,044.49.

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

c. Nissly moved and Thies seconded to approve the reimbursement for Palisades Estate Plat 2 Design Costs in the amount of \$12,895.77.

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

d. Klein moved and Nissly seconded to approve the reimbursement for Palisades Estate Plat 3 Design Costs in the amount of \$7,839.00.

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

11. **Wastewater Discharge Agreement**

Nissly moved and Thies seconded to approve the Wastewater Discharge Agreement between the City of Iowa Falls, Iowa and POET Bioprocessing, Incorporated.

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

12. **Land Acquisition Agreement**

Klein moved and Nissly seconded to approve an amendment for the Relocation Assistance Services Agreement.

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

13. **Parking Ordinances**

a. Cutler moved and Nissly seconded to approve on first reading an Ordinance amending the Code of Ordinances of the City of Iowa Falls, Iowa, amending the provisions pertaining to limiting parking to fifteen minutes in one spot in the 500 block of Washington Avenue.

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

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

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

c. Thies moved and Cutler seconded to approve on third and final reading an Ordinance amending the Code of Ordinances of the City of Iowa Falls, Iowa amending provisions pertaining to limiting parking to fifteen minutes in one spot in the 500 block of Washington Avenue.

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

d. Nissly moved and Cutler seconded to approve on first reading an Ordinance amending the Code of Ordinances of the City Iowa Falls, Iowa, by amending provisions pertaining to parking time limited in the downtown area.

Roll vote: Nissly, Cutler, Thies, Klein voting aye. Henry voting nay.

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

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

f. Nissly moved and Cutler seconded to approve on third and final reading an Ordinance amending the Code of Ordinances of the City of Iowa Falls, Iowa, by amending provisions pertaining to parking time limited in the downtown area.

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

g. Thies moved and Nissly seconded to table any action on first reading an Ordinance amending the Code of Ordinances of the City of Iowa Falls, Iowa, by amending provisions pertaining to no parking on Cedar Street and directed staff to re-word the Ordinance.

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

h. Thies moved and Nissly seconded to table any action on the approval of suspension of the rules and placing on third and final reading.

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

i. Thies moved and Nissly seconded to table any action on third and final reading an Ordinance amending the Code of Ordinances of the City of Iowa Falls, Iowa, by amending provisions pertaining to no parking on Cedar Street and directed staff to re-word the Ordinance.

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

## **NEW BUSINESS**

### 14. **Hansen Family Hospital Ambulance Driveway**

It was discussed to extend the driveway in the emergency room ambulance driveway. The council gave direction to Kaci Elkin to look into completing this project in-house and speaking with Hansen Family Hospital on sharing the cost of the project.

### 15. **Trees**

a. Cutler moved and Nissly seconded to approve on first reading an Ordinance amending the Code of Ordinances of the City of Iowa Falls, by amending provisions pertaining to trees.

Roll vote: Cutler, Nissly, Thies, 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, Thies, Cutler and Henry voting aye.

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

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

16. **Rezoning**

a. Mayor Emerson opened a public hearing on the rezoning of 714 Henderson Street from RS-Residential Single-Family District to LI-Light Industrial District. There was no oral or written comment. Mayor Emerson closed the public hearing.

b. Consider approval on first reading an Ordinance amending the zoning classification of certain real property located within the city limits of the City of Iowa Falls, Iowa, from "RS" Residential Single-Family District to "LI" Light Industrial District. This item died for lack of a motion.

c. Consider suspension of the rules and placing on third and final reading. This item died from lack of a motion.

d. Consider approval on third and final reading an Ordinance amending the zoning classification of certain real property located within the city limits of the City of Iowa Falls, Iowa, from "RS" Residential Single-Family District to "LI" Light Industrial District. This item died for lack of a motion.

17. **Pool Painting Project**

Nissly approved and Klein seconded to approve the bid from Dreyer Painting for pool painting in the amount of \$69,900 coming from 80% LOST.

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

18. **East Main Sewer Project**

Thies moved and Klein seconded to approve the quote for lining and repairing the sewer from CIT Sewer Solutions in the amount of \$39,888 coming from water/wastewater cash.

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

19. **Iowa Falls Historic Preservation Commission**

The council gave direction to Kaci Elkin to look at current members and have reappointments put on the July council meeting.

20. **Code Enforcement Citations**

Cutler moved and Klein seconded to approve staff developing a citation form for code enforcement and authorized the Building & Zoning Director to issue the citations.

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

21. **CIP Funds**

a. Nissly moved and Thies seconded to approve reallocating funds from FY23-24 CIP to FY24-25 CIP for resurfacing of the tennis courts in the amount of \$30,000 coming from 80% LOST.

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

b. Cutler moved and Nissly seconded to approve reallocating bunker gear funds for the fire department in the amount of \$6,538.27 from FY23-24 CIP to FY24-25 CIP.

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

22. **Voluntary Annexation**

Nissly moved and Klein seconded to approve Resolution 2024-31 setting a public hearing on the voluntary annexation of property for the July 15, 2024 City Council meeting.

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

23. **Appointments**

a. Thies moved and Nissly seconded to approve the Mayor's reappointment of Tom Johnson and Teresa Birdwell to the Tree Board for terms to expire July of 2027.

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

b. Klein moved and Nissly seconded to approve the Mayor's reappointment of Allison Campbell to the Library Board for a term to expire July of 2028.

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

c. Thies, moved and Cutler seconded to approve the reappointment of Sue McDowell and Joe Scallon to the Airport Authority for terms to expire July of 2028.

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

d. Nissly moved and Thies seconded to approve the appointment of John Gehrls to the Building Code Board of Appeals for a term to expire July of 2029.

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

**PUBLIC COMMENT**

24. **Closed Session**

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

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

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

Roll vote: Cutler, Nissy, Thies, Klein and Henry voting aye.

**ADJOURNMENT**

Cutler moved and Nissly seconded to adjourn.  
Roll vote: Cutler, Nissly, Thies, Klein and Henry voting aye.  
Meeting adjourned at 9:23 p.m.



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Mayor Michael Emerson



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Kaci Elkin, City Clerk