

**CITY OF IOWA FALLS  
REGULAR MEETING  
OCTOBER 21, 2024**

The City Council of the City of Iowa Falls met in regular session on Monday, October 21, 2024 at 6:30 p.m. with Mayor Michael Emerson presiding over the meeting. Council members Bruce Thies, Micah Cutler, Roger Nissly, and Steve Klein were present. Dave Henry was absent. Also present was City Manager Kaci Elkin.

**ACCEPTANCE OF THE AGENDA**

Thies moved and Nissly seconded to accept the agenda, amending item No. 16, the item was removed until further notice. There was also clerical error on No. 14 b, should read Discuss and consider, not Consider and consider.

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

**APPROVAL OF MINUTES**

Thies moved and Nissly seconded to accept the minutes of the Regular Meeting of September 16, 2024 and Special Meeting of September 26, 2024.

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

**APPROVAL OF MONTHLY CLAIMS AND FINANCIALS**

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

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

**CONSENT AGENDA:**

Nissly moved and Klein seconded to approve the following items:

1. **Liquor Licenses**

a. 5-day Special Class C Retail Alcohol License for Apres Bar Co LLC at 709 Ellsworth Avenue.

b. Class C Retail Alcohol License for The River Tap.

2. **Tax Abatement Application**

a. Tax Abatement for Iowa Falls Community Investment Corporation for 1022 Sherman Street.

b. Tax Abatement for Iowa Falls Community Investment Corporation for 420 Georgetown Road.

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

### **OLD BUSINESS**

#### **3. Palisades Estates Plat 2**

a. Cutler moved and Thies seconded to approve Resolution No. 2024-53 to approve the final plat for Palisades Estates Plat 2.

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

b. Klein moved and Nissly seconded to approve pay application #6 to Gehrke, Inc. in the amount of \$625,675.13.

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

#### **4. Palisades Land Development**

Cutler moved and Nissly seconded to approve reimbursement for Palisades Estates Plat 1 in the amount of \$71,422.21.

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

#### **5. Floodproofing Project**

Nissly moved and Cutler seconded to approve pay application #2 to Tricon General Construction Inc. in the amount of \$238,934.50.

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

#### **6. Mother Kluckers Poultry Processing Center LLC**

a. Mayor Emerson opened the Public hearing on the proposal to enter into a Development Agreement with Mother Kluckers Poultry Processing Center LLC.  
No public or written comment.

b. Nissly moved and Klein seconded to approve Resolution No. 2024-54 approving and authorizing execution of a Development Agreement by and between the City of Iowa Falls and Mother Kluckers Poultry Processing Center LLC.

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

7. **Palisades Estates Development Agreement Amendment**

a. Mayor Emerson opened the Public hearing on the proposal of Palisades Estates Development Agreement Amendment.  
No written or oral comment.

b. Cutler moved and Thies seconded to approve Resolution No. 2024-55 approving Palisades Estates Development Agreement Amendment.

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

8. **Heritage Estates Development Agreement Amendment**

a. Mayor Emerson opened the Public hearing on the proposal of Heritage Estates Development Agreement Amendment.  
No written or oral comment.

b. Klein moved and Nissly seconded to approve Resolution No. 2024-56 approving the Heritage Estates Development Agreement Amendment.

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

9. **Purchase Agreement for a portion of Grand Jivante**

a. Mayor Emerson opened the Public hearing on the purchase Agreement for the West half of property located at the Grand Jivante site.  
No written or oral comment.

b. Nissly moved and Klein seconded to approve Resolution No. 2024-57 approving the sale of the West half of property located at the Grand Jivante site.

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

10. **Weaver's Cove & Test Wells**

Cutler moved and Thies seconded to approve pay application #4 to The Northway Corporation in the amount of \$328,050.67 from Water bond funds and water cash.

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

11. **R & T Enterprises Water Main**

Klein moved and Nissly seconded to approve pay application to McDowell & Sons for \$74,520 for water main at Top Flight Grille.

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

12. **Abandoned Connections**

The council discussed amending the abandoned connections ordinance. This item will be brought to the November meeting for possible action.

13. **Street Garage Boiler**

a. Thies moved and Klein seconded to approve Street Garage boiler repair in the amount of \$13,842.

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

b. Thies moved and Nissly seconded to approve Technical Memorandum #2 from Strand Associates regarding the Street Garage Hydronics System.

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

14. **Gas Extension**

a. Cutler moved and Thies seconded to accept the bid for gas extension through Rosebud Farms to Palisades Development in the amount of \$432,492.81.

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

b. Discuss and consider bid from Gehrke, Inc for Goldfinch Electric and Gas Easement project in the amount of \$62,500. This item died for a lack of motion.

15. **Princess Upper Story Restoration**

a. Nissly moved and Cutler seconded to approve CDBG Grant policies:

1. Affirmative action program
2. Policy on the prohibition of the use of excessive force
3. RARA- Residential and Anti-Displacement and Relocation Assistance Plan
4. Code of Conduct
5. Fair Housing Policy
6. Equal opportunity policy statement
7. Procurement policy
8. Certificate of compliance for CDBG procurement standards

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

b. Nissly moved and Klein seconded to approve resolution No. 2024-58 adopting the Community Development block grant subrecipient policies and procedures.

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

c. Klein moved and Cutler seconded to approve alternate signator form.

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

d. Thies moved and Cutler seconded to approve admin services contract.

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

## **NEW BUSINESS**

### 16. **Larry Bahr**

Citizen requests to be on agenda. This item was removed until further notice.

### 17. **Property Rehabilitation Program**

Nissly moved and Thies seconded to approve the property rehabilitation proposal from Tim Hartkopp for 1018 Rocksylvania for \$70,000.

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

Thies moved and Cutler seconded to approve the property rehabilitation proposal from Steve Braga for 1806 Custer for \$27,500.

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

Cutler moved and Nissly seconded to approve the property rehabilitation proposal from Jeff Hartwig for 403 Bliss for \$1.

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

Cutler moved and Nissly seconded to approve the property rehabilitation proposal from Jeff Hartwig for 150 Fremont for \$500.

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

### 18. **Recycling Program**

The city council directed city staff to look at promoting recycling efforts in the community.

### 19. **Hotel/Motel Tax Funding Application**

Nissly moved and Cutler seconded to deny funding for the following applications using Tourism Funds. Timbukbru in the amount of \$4,750 for Celebration on River Street and Calkins Nature Center Indoor-Architectural Concept for the remaining \$24,156.23 from Tourism Funds.

Roll vote: Nissly, Cutler, Thies and Klein voting aye. Funding was denied.

Nissly moved and Cutler seconded to approve funding for Wiggles and Giggles in the amount of up to \$25,000 for materials and supplies. The board decided not to fund R&T Enterprises or Grandma Jane's Playhouse this round.

Roll vote: Nissly, Cutler voting aye. Thies and Klein voting nay. This item was defeated.

20. **Tire Tags**

Thies moved and Klein seconded to increase tire tags to \$10 each.

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

21. **Pool drain covers**

The city council directed city staff to look for additional bids for VGB pool drain covers.

22. **Shipping containers**

The city council discussed current ordinance on shipping containers. This item will be brought to the November meeting for possible action.

23. **Yard of the month program**

Nissly moved and Cutler seconded to implement the yard of the month program starting in May of 2025.

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

**PUBLIC COMMENT**

24. **Closed session**

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

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

**PUBLIC COMMENT**


**ADJOURNMENT**

Thies moved and Klein seconded to adjourn.

Roll vote: Thies, Klein, Cutler and Nissly voting aye.  
Meeting adjourned at 8:58 p.m.

A handwritten signature in blue ink, appearing to read "Michael Emerson", written over a horizontal line.

Mayor Michael Emerson

A handwritten signature in blue ink, appearing to read "Amanda Ubben", written over a horizontal line.  
Amanda Ubben, City Clerk