

**CITY OF IOWA FALLS
REGULAR MEETING
NOVEMBER 20, 2017**

The Mayor and City Council of the City of Iowa Falls met in regular session on Monday, November 20, 2017 at 6:30 p.m. with Mayor Gene Newgaard presiding over the meeting. Council Members Verv Davidson, Michelle Gritsch, Roger Nissly, Bruce Thies and Rob Wohlert were present. Also present was City Manager Jody Anderson.

ACCEPTANCE OF THE AGENDA

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

APPROVAL OF MINUTES

Gritsch moved and Nissly seconded to approve the minutes of the regular meeting of October 16, 2017.

Vote: Gritsch, Nissly, Thies, Wohlert and Davidson voting aye.

APPROVAL OF MONTHLY CLAIMS AND FINANCIALS

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

CONSENT AGENDA

Item #2, Street Light Resolution was removed from the agenda.

Nissly moved and Wohlert seconded to approve the following:

1. **Liquor License**

Class C Liquor License for The River Tap.

3. **City Records**

Resolution authorizing the destruction of City records.

4. **Tax Abatement Application**

Application for Tax Abatement for Scenic Living Communities, Inc.
Roll Vote: Nissly, Wohlert, Thies, Gritsch and Davidson voting aye.

OLD BUSINESS

5. Airport Projects

a. Nissly moved and Thies seconded to approve Partial Pay Estimate #4 to Wick's Construction, Inc. for \$77,421.33 for the Iowa Falls Municipal Airport Partial Parallel Taxiway Project with the project is substantially complete.

Roll Vote: Nissly, Thies, Wohlert, Gritsch and Davidson voting aye.

b. Thies moved and Gritsch seconded to approve Amendment No. 11 to the Agreement for Engineering Services Fuel Facility Improvements with McClure Engineering for the Airport Fuel Facility Improvements using Airport Reserves to fund the project.

Roll Vote: Thies, Gritsch, Davidson, Wohlert and Nissly voting aye.

6. Sale of Property

a. Nissly moved and Thies seconded to direct the City Manager to advertise to take sealed bids for the sale of the east and west road easement of unfinished S Third Street.

Roll Vote: Nissly, Thies, Wohlert, Gritsch and Davidson voting aye.

b. Mayor Newgaard opened the public hearing on the sale of the property at 310 Washington Avenue to Kenny Lam for \$17,000. There were no oral or written comments. Mayor Newgaard closed the public hearing.

c. Nissly moved and Thies seconded to approve Resolution No. 2017-65 approving the sale of 310 Washington Avenue to Kenny Lam.

Roll Vote: Nissly, Thies, Wohlert, Gritsch and Davidson voting aye.

d. The Council reviewed the bids received on the sale of the property at 408 Sherman.

e. Gritsch moved and Davidson seconded to approve Resolution No. 2017-66 tentatively approving the sale of 408 Sherman to Jacob and Kaleb Baier in the amount of \$5,100 and setting a public hearing on the sale of the property for the December 18, 2017 City Council meeting.

Roll Vote: Gritsch, Davidson, Nissly, Thies and Wohlert voting aye.

f. Nissly moved and Wohlert seconded to table the sale of 1714 River Street until it is know if that could be a possible well site.

Roll Vote: Nissly, Wohlert, Thies, Davidson and Gritsch voting aye.

7. North Park Cadet Trail – Phase 1

Nissly moved and Wohlert seconded to approve Pay Estimate #3 in the amount of \$173,394.32 to Peterson Contractors Inc.

Roll Vote: Nissly, Wohlert, Thies, Gritsch and Davidson voting aye.

8. **Crescent, Manor and Fremont Improvements**

a. Wohlert moved and Thies seconded to approve Change Order No. 8 in the amount of \$8,202.00.

Roll Vote: Wohlert, Thies, Nissly, Davidson and Gritsch voting aye.

b. Nissly moved and Davidson seconded to approve Pay Estimate #7 in the amount of \$245,806.32 to Heartland Asphalt, Inc.

Roll Vote: Nissly, Davidson, Gritsch, Wohlert and Thies voting aye.

9. **South Iowa Falls Drainage & Utility Improvements**

a. Nissly moved and Davidson seconded to approve Change Order No. 3 in the amount of \$0.

Roll Vote: Nissly, Davidson, Gritsch, Wohlert and Thies voting aye.

b. Thies moved and Wohlert seconded to approve the Certificate of Substantial Completion for this project.

Roll Vote: Thies, Wohlert, Gritsch, Davidson and Nissly voting aye.

c. Thies moved and Nissly seconded to approve Pay Estimate #7 in the amount of \$21,005.12 to Bob McKiness Excavating & Grading, Inc.

Roll Vote: Thies, Nissly, Davidson, Gritsch and Wohlert voting aye.

10. **Safer Sidewalk Program**

Nissly moved and Davidson seconded to direct City Manager Anderson to work with Fox Engineering on the need for bid documents and other requirements for the City's Safer Sidewalk Program.

Roll Vote: Nissly, Davidson, Gritsch, Wohlert and Thies voting aye.

11. **Development Agreements**

a. Mayor Newgaard opened the public hearing on the proposal to enter into a First Amendment to Tax Increment Economic Development Agreement with Iowa Falls Chamber of Commerce/Main Street, Inc. There were no oral or written comments. Mayor Newgaard closed the public hearing.

b. Thies moved and Nissly seconded to approve Resolution No. 2017-67 approving and authorizing execution of a First Amendment to Tax Increment Economic Development Agreement by and between the City of Iowa Falls and Iowa Falls Chamber of Commerce/Main Street, Inc.

Roll Vote: Thies, Nissly, Wohlert, Gritsch and Davidson voting aye.

c. Mayor Newgaard opened the public hearing on the proposal to enter into a First Amendment to Tax Increment Economic Development Agreement with Iowa Falls Area

Development Corporation. There were no oral or written comments. Mayor Newgaard closed the public hearing.

d. Gritsch moved and Thies seconded to approve Resolution No. 2017-68 approving and authorizing execution of a First Amendment to Tax Increment Economic Development Agreement by and between the City of Iowa Falls and Iowa Falls Area Development Corporation.

Roll Vote: Gritsch, Thies, Wohlert, Nissly and Davidson voting aye.

12. **Police Department**

Nissly moved and Wohlert seconded to reaffirm Mayor Newgaard's appointment of Wade Harken as Interim Police Chief.

Roll Vote: Nissly, Wohlert, Thies, Gritsch and Davidson voting aye.

13. **Project Thomas**

Nissly moved and Gritsch seconded to approve Resolution No. 2017-69 of the City Council of the City of Iowa Falls, Iowa authorizing the extension of Resolution No. 2017-37 and signing an amendment to the letter of intent related to a private developer's interest in "Project Thomas".

Roll Vote: Nissly, Gritsch, Davidson, Thies and Wohlert voting aye.

NEW BUSINESS

14. **Deer Bow Hunting**

Thies moved and Davidson seconded to approve the request from Jason Herter of 1518 Siloam Avenue to have his property included in the area for deer bow hunting.

Roll Vote: Thies, Davidson, Gritsch, Wohlert and Nissly voting aye.

15. **Tobacco Violation**

Thies moved and Davidson seconded to approve the mandatory \$1,500.00 civil penalty and a thirty (30) day cigarette permit suspension prescribed by Iowa Code Section 453.A.22(2)(c) for the violation of Iowa Code Section 453A.2(1) with the suspension beginning February 1, 2018 if approved by the Iowa Department of Revenue.

Roll Vote: Thies, Davidson, Gritsch, Wohlert and Nissly voting aye.

16. **Greenbelt Humane Society**

Nissly moved and Gritsch seconded to support the relocation of the Greenbelt Humane Society from Alden to 319 River Street located in a GC (General Commercial) Zoned District.

Roll Vote: Nissly, Gritsch, Davidson and Thies voting aye. Wohlert abstaining.

17. **TIF –Urban Renewal**

a. Nissly moved and Gritsch seconded to approve the Annual Urban Renewal Report.

Roll Vote: Nissly, Gritsch, Davidson, Thies and Wohlert voting aye.

b. Nissly moved and Thies seconded to approve the Iowa Falls Urban Renewal Certification.

Roll Vote: Nissly, Thies, Wohlert, Gritsch and Davidson voting aye.

c. Davidson moved and Thies seconded to approve Resolution No. 2017-70 directing the filing of certification under Iowa Code Section 403.19 for the Iowa Falls Urban Renewal Certification.

Roll Vote: Davidson, Thies, Nissly, Wohlert and Gritsch voting aye.

d. Nissly moved and Thies seconded to approve the Ellsworth Neighborhood Development Urban Renewal Certification.

Roll Vote: Nissly, Thies, Wohlert, Gritsch and Davidson voting aye.

e. Davidson moved and Gritsch seconded to approve Resolution No. 2017-71 directing filing of certification under Iowa Code Section 403.19 for the Ellsworth Neighborhood Development Urban Renewal Certification.

Roll Vote: Davidson, Gritsch, Wohlert, Thies and Nissly voting aye.

18. **Annual Financial Report**

Thies moved and Wohlert seconded to approve the Annual Financial Report.

Roll Vote: Thies, Wohlert, Thies, Davidson and Gritsch voting aye.

19. **CDBG Housing Grant**

a. Wohlert moved and Thies seconded to approve the Policy on the Prohibition of the Use of Excessive Force.

Roll Vote: Wohlert, Thies, Nissly, Davidson and Gritsch voting aye.

b. Wohlert moved and Nissly seconded to approve the Equal Opportunity Policy Statement.

Roll Vote: Wohlert, Nissly, Thies, Gritsch and Davidson voting aye.

c. Davidson moved and Thies seconded to approve the Procurement Policy.

Roll Vote: Davidson, Thies, Wohlert, Nissly and Davidson voting aye

d. Thies moved and Wohlert seconded to approve the Code of Conduct.

Roll Vote: Thies, Wohlert, Gritsch, Davidson and Nissly voting aye.

e. Wohlert moved and Thies seconded to approve the Agreement between the City of Iowa Falls and the Region Six Planning Commission for General Administrative Services.
Roll Vote: Wohlert, Thies, Nissly, Davidson and Gritsch voting aye.

f. Davidson moved and Gritsch seconded to approve the Agreement between the City of Iowa Falls and the Region Six Planning Commission for Housing Technical Services.
Roll Vote: Davidson, Gritsch, Wohlert, Thies and Nissly voting aye.

20. **Computer Updates**

Wohlert moved and Davidson seconded to authorize up to \$30,000 for the purchase of computer updates.
Roll Vote: Wohlert, Davidson, Gritsch, Thies and Nissly voting aye.

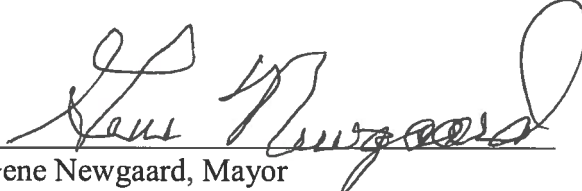
21. **Closed Session**

Davidson 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 and Section 21.5.1.c to discuss pending legal action.
Roll Vote: Davidson, Nissly, Thies, Wohlert and Gritsch voting aye.

Wohlert moved and Nissly seconded to go back in open session having taken no action in closed session.
Roll Vote: Wohlert, Nissly, Thies, Gritsch and Davidson voting aye.

ADJOURNMENT

Thies moved and Nissly seconded to adjourn.
Vote: Thies, Nissly, Davidson, Gritsch and Wohlert voting aye.
The meeting adjourned at 8:45 p.m.


Gene Newgaard, Mayor


Page Hansen, City Clerk