

**CITY OF IOWA FALLS
REGULAR MEETING
MAY 18, 2015**

The Mayor and City Council of the City of Iowa Falls met in regular session on Monday, May 18, 2015 with Mayor Gene Newgaard presiding over the meeting. Council Members Mark Mess, Roger Nissly, Bruce Thies and Rob Wohlert were present. Council Member Verv Davidson was absent. Also present was City Manager Jody Anderson.

ACCEPTANCE OF THE AGENDA

Nissly moved and Thies seconded to accept the agenda as written.

Vote: Nissly, Thies, Wohlert and Messa voting aye.

APPROVAL OF MINUTES

a. Wohlert moved and Nissly seconded to approve the minutes of the Regular Meeting of April 20, 2015.

Vote: Wohlert, Nissly, Thies and Messa voting aye.

b. Thies moved and Nissly seconded to approve the minutes of the Special Meeting of April 27, 2015.

Vote: Thies, Nissly, Wohlert and Messa voting aye.

c. Wohlert moved and Thies seconded to approve the minutes of the Special Meeting of May 6, 2015.

Vote: Wohlert, Thies, Nissly and Messa voting aye.

APPROVAL OF MONTHLY CLAIMS AND FINANCIALS

Wohlert moved and Thies seconded to approve the monthly claims and financials.

Roll Vote: Wohlert, Thies, Nissly and Messa voting aye.

CONSENT AGENDA

Wohlert moved and Nissly seconded to approve the following items:

1. **CDBG Housing Rehabilitation Grant**

Resolution No. 2015-17 approving the City of Iowa Falls Community Development Block Grant Owner Occupied Housing Rehabilitation Contract for 416 Sherman.

2. **Noise Ordinance Variance**

a. Noise ordinance variance for Friday, May 22, 2015 from 6:00 p.m. until 11:30 p.m. in Estes Park for Iowa Falls JAM.

b. Noise ordinance variance for Friday, June 5, 2015 from 6:00 p.m. until 10:30 p.m. in Estes Park for a free dance sponsored by Lynn Allbee.

Roll Vote: Wohlert, Nissly, Thies and Messa voting aye.

OLD BUSINESS

3. **Ackley Citizens Group**

Mayor Newgaard welcomed the Ackley Citizens Group.

The Ackley Citizens Group discussed the Grand JiVante Project with the Mayor and Council.

4. **Rezoning**

a. Mayor Newgaard opened the public hearing on the rezoning of certain real property located within the City limits of the City of Iowa Falls from Residential Multi Family District to Light Industrial District. There were no oral or written comments. Mayor Newgaard closed the public hearing.

b. Messa moved and Nissly seconded to approve 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. Roll Vote: Messa, Nissly, Thies and Wohlert voting aye.

5. **Urban Animals**

a. Wohlert moved and Nissly seconded to table the Ordinance amending the Code of Ordinances of the City of Iowa Falls, Iowa by adding sections to the residential single-family district and the Ordinance amending the Code of Ordinances of the City of Iowa Falls, Iowa, by adding sections to the residential multi-family district.

b. The Council discussed penalties for animals which are illegally in Iowa Falls.

6. **Grand JiVante Sewer Extensions**

Wohlert moved and Messa seconded to approve setting the bid date for 10:00 a.m. on Tuesday, June 9, 2015 with the bids to be received at City Hall and scheduling a hearing on the proposed Bidding Requirements, Contract Documents and Estimate of Cost for the project for the June 15, 2015 Council meeting.

Roll Vote: Wohlert, Messa, Thies and Nissly voting aye.

7. **Downtown Alley Project**

a. Wohlert moved and Nissly seconded to approve Change Order No. 2 in the amount of \$2,202.65.

Roll Vote: Wohlert, Nissly, Thies and Messa voting aye.

b. Thies moved and Nissly seconded to approve Pay Estimate No. 3 in the amount \$238,566.05 to Absolute Concrete.

Roll Vote: Thies, Nissly, Wohlert and Messa voting aye.

8. **Ellsworth Municipal Hospital Site**

Nissly moved and Wohlert seconded to accept the 4IF investment group's proposal and direct city staff and city attorney to draft a development agreement and to clean up the title and do the required survey work. To address the group's request for tax abatement as allowed by Iowa Code. To address in the agreement the \$700,000 grant and the time of said grant. The development agreement should have certain achievable bench marks that need to be met and certain claw backs if those conditions are not met.
Vote: Nissly, Wohlert, Thies and Messa voting aye.

9. **Downtown Streetscape Improvements**

a. Wohlert moved and Thies seconded to approve the additional work to be done as required by the Iowa DOT in the amount of \$11,466.00.

Roll Vote: Wohlert, Thies, Nissly and Messa voting aye.

b. Nissly moved and Messa seconded to approve Pay Estimate No. 1 in the amount of \$256,729.17 to K. Cunningham Construction Co. Inc.

Roll Vote: Nissly, Messa, Wohlert and Thies voting aye.

10. **Sale of Old Fire Truck**

City Manager Anderson updated the Council on the efforts to try and sell the old fire truck.

11. **Airport Partial Parallel Taxiway Grading/Drainage Project**

Nissly moved and Thies seconded to approve holding a public hearing on the proposed plans, specifications, form of contract, and estimate of cost related to the Iowa Falls Municipal Airport Partial Parallel Taxiway Grading/Drainage Improvements at the 6:30 p.m. Council meeting on June 15, 2015 at the R.W. Barlow Public Library, Community Meeting Room, 921 Washington Avenue, Iowa Falls, Iowa.
Vote: Nissly, Thies, Wohlert and Messa voting aye.

12. **FY2014-2015 Budget Amendment**

a. Mayor Newgaard opened the public hearing on amending the FY2014-2015 Budget. There were no oral or written comments. Mayor Newgaard closed the public hearing.

b. Wohlert moved and Thies seconded to approve Resolution No. 2015-18 amending the current budget for the fiscal year ending June 30, 2015.

Roll Vote: Wohlert, Thies, Nissly and Messa voting aye.

13. **TIGER Grant**

a. Nissly moved and Thies seconded to approve Resolution No. 2015-19 to submit an application by the City of Iowa Falls, Iowa to FY 2015 TIGER Discretionary Grants Program.

Roll Vote: Nissly, Thies, Wohlert and Messa voting aye.

b. Messa moved and Thies seconded to approve the Federal Wage Rate Certification.

Vote: Messa, Thies, Wohlert and Nissly voting aye.

NEW BUSINESS

14. **Ellis Avenue**

Wohlert moved and Nissly seconded to share the cost with Heartland Asphalt for the crack sealing the cracks in the asphalt on Ellis Avenue with the funds coming from the Street Department Budget.

Roll Vote: Wohlert, Nissly, Thies and Messa voting aye.

15. **Food Truck Guidelines**

No action was taken in regard to guidelines for food trucks.

16. **Hardin County Pager Project**

Thies moved and Wohlert seconded to approve payment to Advantage Communications in the amount of \$134,208.00 for the purchase of 380 new WatchDog pagers for all Fire and EMS volunteers in Hardin County.

Roll Vote: Thies, Wohlert, Nissly and Messa voting aye.

17. **Fitz Riverbend Park**

Nissly moved and Wohlert seconded to table approval of the Professional Services Agreement with WHKS for the Fitz Riverbend Park Enhancement Project.

Vote: Nissly, Wohlert, Thies and Messa voting aye.

18. **Loading Zones**

Thies moved and Nissly seconded to direct the City Manager to talk to Mr. Krogh about parking options.

19. **Sale of City Owned Property**

Wohlert moved and Nissly seconded to approve Resolution No. 2015-20 tentatively approving the sale of city property at 633 Bliss Boulevard to James W. Thoms and scheduling a public hearing on the sale for the June 15, 2015 City Council meeting.

Roll Vote: Wohlert, Nissly, Thies and Messa voting aye.

20. **Crack Sealing**

The Council discussed a crack sealing project. Information will be brought back to a later meeting.

21. **Street Sweeper**

Messa moved and Wohlert seconded to approve the purchase of a street sweeper in the amount of \$181,126 from Elliott Equipment.

Roll Vote: Messa, Wohlert, Thies and Nissly voting aye.

22. **Cedar Street Lift Station Rehabilitation**

Nissly moved and Thies seconded to approve setting the bid date for 2:00 p.m. on Thursday, June 11, 2015, with the bids to be received at City Hall and scheduling a hearing on the proposed Bidding Requirements, Contract Documents and Estimate of Cost for the project for the June 15, 2015 Council meeting.

Vote: Nissly, Thies, Wohlert and Messa voting aye.

23. **Water/Wastewater Projects**

a. Nissly moved and Thies seconded to approve moving forward with Water and Wastewater Bonds/Projects.

Roll Vote: Nissly, Thies, Wohlert and Messa voting aye.

b. Messa moved and Thies seconded to approve Resolution No. 2015-21 fixing date for a meeting on the authorization of a Loan Agreement and the issuance of not to exceed \$1,500,000 Water Revenue Capital Loan Notes, of the City of Iowa Falls, State of Iowa, and providing for publication of notice thereof.

Roll Vote: Messa, Thies, Wohlert and Messa voting aye.

c. Nissly moved and Wohlert seconded to approve Resolution No. 2015-22 fixing date for a meeting on the authorization of a Loan Agreement and the issuance of not to exceed \$1,700,000 Sewer Revenue Capital Loan Notes, of the City of Iowa Falls, State of Iowa, and providing for publication of notice thereof.

Roll Vote: Nissly, Wohlert, Thies and Messa voting aye.

24. **Spec Building**

a. Wohlert moved and Thies seconded to bring an ordinance back to the Council for approval of tax exemption for speculative shell buildings.

Vote: Wohlert, Thies, Nissly and Messa voting aye.

b. Wohlert moved and Nissly seconded to approve the shared second Mortgage between the City of Iowa Falls, Corn Belt Power and Midland Power on the guarantee loans.

Roll Vote: Wohlert, Nissly, Thies and Messa voting aye.

c. Thies moved and Nissly seconded to approve the Reimbursement Note by IFADC for guarantee loans to the City of Iowa Falls, Corn Belt and Midland Power.

Roll Vote: Thies, Nissly, Wohlert and Messa voting aye.

d. Thies moved and Wohlert seconded to approve the Development Agreement pertaining to the construction of the Spec Building.

Roll Vote: Thies, Wohlert, Nissly and Messa voting aye.

e. Wohlert moved and Thies seconded to approve the Limited Guaranty for Iowa Falls to guaranty repayment of 1/3rd of the Loans.

Roll Vote: Wohlert, Thies, Nissly and Messa voting aye.

25. **Brooks Road**

The Council discussed Brooks Road.

26. **Safety Manual**

The Council discussed the City of Iowa Falls Safety Manual.

27. **USDA Intergovernmental Review Consultation Form**

Wohlert moved and Thies seconded to approve the USDA Intergovernmental Review Consultation Form.

Vote: Wohlert, Thies, Nissly and Messa voting aye.

28. **Mediation Settlement**

Wohlert moved and Messa seconded to accept the mediation settlement in the case of Jaesen and Heather Lang vs. Alex Pruisman and the City of Iowa Falls.

Roll Vote: Wohlert, Messa, Thies and Nissly voting aye.

29. **Closed Session**

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

Roll Vote: Wohlert, Thies, Nissly and Messa voting aye.

Nissly moved and Thies seconded to go back into open session having taken to action in closed session.

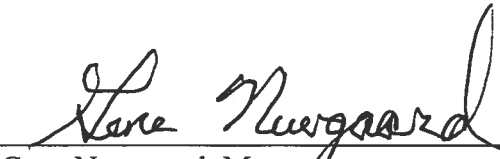
Roll Vote: Nissly, Thies, Wohlert and Messa voting aye.

ADJOURNMENT

Wohlert moved and Thies seconded to adjourn.


Vote: Wohlert, Thies, Nissly and Messa voting aye.

The meeting adjourned at approximately 10:05 p.m.



Gene Newgaard, Mayor

Attest:



Jon Kies, City Clerk