

**CITY OF IOWA FALLS
REGULAR MEETING
AUGUST 16, 2021**

The Mayor and City Council of the City of Iowa Falls met in regular session on Monday, August 16, 2021 at 6:30 p.m. with Mayor Gene Newgaard presiding over the meeting. Council Members Michelle Gritsch, Steve Klein, Roger Nissly, Bruce Thies and Rob Wohlert were present. Also present was City Manager Jody Anderson.

ACCEPTANCE OF THE AGENDA

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

APPROVAL OF MINUTES

Klein moved and Nissly seconded to approve the minutes of the regular meeting of July 19, 2021 and the special meeting of August 6, 2021.
Vote: Klein, Nissly, Thies, Wohlert and Gritsch voting aye.

APPROVAL OF MONTHLY CLAIMS AND FINANCIALS

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

CONSENT AGENDA

Nissly moved and Thies seconded to approve the following:

1. **Liquor Licenses**

- a. Class E Liquor License for Fareway.
- b. Class C Liquor License for 502 Grill House.
- c. Class C Beer Permit for Kwik Star.
- d. Special Class C Liquor License for Chuong Garden.

2. **Street Closure Request**

Resolution No. 2021-41 closing Main Street from Albright's Bluff property to the south end of Main Street from 7:00 a.m. August 20th until noon on August 21st for a wedding.

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

OLD BUSINESS

3. City Property Purchase

a. Mayor Newgaard opened the public hearing on the sale of a portion of 1714 River Street to Mrlyn and Kathy Bartling. There was no oral or written comment. Mayor Newgaard closed the public hearing.

b. Klein moved and Gritsch seconded to approve Resolution No. 2021-41 approving the sale of a portion of the property at 1714 River Street, Iowa Falls, Hardin County, Iowa.

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

4. Development Agreement – R & T Enterprises

a. Mayor Newgaard opened the public hearing on the proposal to enter into a Development Agreement with R & T Enterprises. There were no oral or written comments. Mayor Newgaard closed the public hearing.

b. Thies moved and Wohlert seconded to approve Resolution No. 2021-42 approving and authorizing execution of a Development Agreement by and between the City of Iowa Falls and R & T Enterprises.

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

5. Airport Projects

a. Klein moved and Wohlert seconded to approve Pay Request in the amount of \$273,412.86 to Godbersen-Smith Construction Co. for the Construct Parallel Taxiway B Project.

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

b. Wohlert moved and Gritsch seconded to approve payment to McClure Engineering in the amount of \$34,015.11 for the Construct Parallel Taxiway B Project.

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

c. Gritsch moved and Nissly seconded to approve Pay Request in the amount of \$827,129.01 to Godbersen-Smith Construction Co. for the Rehabilitate Runway 13/31.

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

d. Wohlert moved and Thies seconded to approve payment to McClure Engineering in the amount of \$38,896.52 for the Rehabilitate Runway 13/31.

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

6. **CDBG Exterior Housing Improvements Project**

Klein moved and Gritsch seconded to approve Resolution No. 2021-43 approving administrative services for the City of Iowa Falls CDBG Exterior Housing Improvements Project.

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

7. **South Drainage Project**

The agreement with Wayne and Lisa Dewey was deferred.

NEW BUSINESS

8. **Tree Board**

Wohlert moved and Gritsch seconded to authorize the Tree Board to apply for a Theisen's Grant and any possible matching funds would come from 20% LOST.

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

9. **2212 Washington**

Wohlert moved and Nissly seconded to deny the request from Tim Hartkopp for financial assistance in connecting to the City's sewer line and adding a lift station to the property.

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

10. **Library**

Klein moved and Gritsch seconded to direct staff to get bids for replacement of the Library boilers.

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

11. **2021 Manhole Rehabilitation**

Wohlert moved and Thies seconded to approve up to \$20,000 for the annual manhole rehabilitation program.

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

12. **Utility Bills**

a. Wohlert moved and Gritsch seconded to approve on first reading an Ordinance amending the Code of Ordinances of the City of Iowa Falls, Iowa, by amending provisions pertaining to water service.

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

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

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

c. Thies moved and Wohlert seconded to approve on third and final reading Ordinance No. 1151 amending the Code of Ordinances of the City of Iowa Falls, Iowa, by amending provisions pertaining to water service.

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

d. Nissly moved and Thies seconded to approve on first reading an Ordinance amending the Code of Ordinances of the City of Iowa Falls, Iowa, by amending provisions pertaining to solid waste collection fees.

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

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

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

f. Gritsch moved and Wohlert seconded to approve on third and final reading Ordinance No. 1152 amending the Code of Ordinances of the City of Iowa Falls, Iowa, by amending provisions pertaining to solid waste collection fees.

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

g. Thies moved and Wohlert seconded to approve the request from Metal Tech for a waiver of the late fees for 1050 Brooks Road in the amount of \$18.49 and 525 Lawler in the amount of \$1.42 due to not receiving the bills in a timely manner.

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

h. Gritsch moved and Nissly seconded to approve the request from Terry Taylor for a waiver of late fees for his bill in the amount of \$10.16 due to not receiving his bill.

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

13. **Legislative Ordinance Updates**

a. Thies moved and Wohlert seconded to approve on first reading an Ordinance amending the Code of Ordinances of the City of Iowa Falls, Iowa, by amending provisions pertaining to Peddlers, Solicitors, and Transient Merchants.

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

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

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

c. Thies moved and Wohlert seconded to approve on third and final reading Ordinance No. 1153 amending the Code of Ordinances of the City of Iowa Falls, Iowa, by amending provisions pertaining to Peddlers, Solicitors, and Transient Merchants.
Roll Vote: Thies, Wohlert, Nissly, Klein and Gritsch voting aye.

d. Nissly moved and Thies seconded to approve on first reading an Ordinance amending the Code of Ordinances of the City of Iowa Falls, Iowa, by amending provisions pertaining to Public Disorder.
Roll Vote: Nissly, Thies, Wohlert, Gritsch and Klein voting aye.

e. Klein moved and Thies seconded to approve suspension of the rules and placing on third and final reading.
Roll Vote: Klein, Thies, Wohlert, Nissly and Gritsch voting aye.

f. Nissly moved and Wohlert seconded to approve on third and final reading Ordinance No. 1154 amending the Code of Ordinances of the City of Iowa Falls, Iowa, by amending provisions pertaining to public Disorder.
Roll Vote: Nissly, Wohlert, Thies, Klein and Gritsch voting aye.

g. Thies moved and Wohlert seconded to approve on first reading an Ordinance amending the Code of Ordinances of the City of Iowa Falls, Iowa, by adding provisions pertaining to low-speed electric bicycles and fully controlled-access facilities.
Roll Vote: Thies, Wohlert, Nissly, Klein and Gritsch voting aye.

h. Wohlert moved and Nissly seconded to approve suspension of the rules and placing on third and final reading.
Roll Vote: Wohlert, Nissly, Thies, Klein and Gritsch voting aye.

i. Thies moved and Wohlert seconded to approve on third and final reading Ordinance No. 1155 amending the Code of Ordinances of the City of Iowa Falls, Iowa, by adding provisions pertaining to low-speed electric bicycles and fully controlled-access facilities.
Roll Vote: Thies, Wohlert, Gritsch, Klein and Nissly voting aye.

j. Thies moved and Nissly seconded to approve on first reading an Ordinance amending the Code of Ordinances of the City of Iowa Falls, Iowa, by amending provisions pertaining to Abandoned Vehicles.
Roll Vote: Thies, Nissly, Klein, Gritsch and Wohlert voting aye.

k. Klein moved and Nissly seconded to approve suspension of the rules and placing on third and final reading.
Roll Vote: Klein, Nissly, Klein, Gritsch and Wohlert voting aye.

l. Thies moved and Gritsch seconded to approve on third and final reading Ordinance No. 1156 amending the Code of Ordinances of the City of Iowa Falls, Iowa, by amending provisions pertaining to Abandoned Vehicles.

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

m. Wohlert moved and Gritsch seconded to approve on first reading an Ordinance amending the Code of Ordinances of the City of Iowa Falls, Iowa, by amending provisions pertaining to Alcoholic Beverage Control.

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

n. Gritsch moved and Thies seconded to approve suspension of the rules and placing on third and final reading.

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

o. Thies moved and Wohlert seconded to approve on third and final reading Ordinance No. 1157 amending the Code of Ordinances of the City of Iowa Falls, Iowa, by amending provisions pertaining to Alcoholic Beverage Control.

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

p. Klein moved and Thies seconded to approve on first reading an Ordinance amending the Code of Ordinances of the City of Iowa Falls, Iowa, by adding provisions pertaining to Failure to Assist.

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

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

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

r. Klein moved and Gritsch seconded to approve on third and final reading Ordinance No. 1158 amending the Code of Ordinances of the City of Iowa Falls, Iowa, by addition provisions pertaining to Failure to Assist.

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

s. Wohlert moved and Thies seconded to approve on first reading an Ordinance amending the Code of Ordinances of the City of Iowa Falls, Iowa, by amending provisions pertaining to Interference with Official Acts.

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

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

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

u. Nissly moved and Gritsch seconded to approve on third and final reading Ordinance No. 1159 amending the Code of Ordinances of the City of Iowa Falls, Iowa, by amending provisions pertaining to Interference with Official Acts.
Roll Vote: Nissly, Gritsch, Klein, Thies and Wohlert voting aye.

14. **Closed Session**

Nissly moved and Gritsch seconded to go 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 possible litigation.

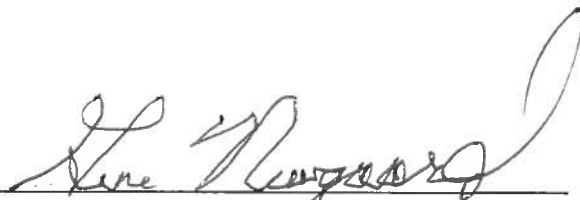
Roll Vote: Nissly, Gritsch, Klein, Thies and Wohlert voting aye.

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

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

ADJOURNMENT

Wohlert moved and Thies seconded to adjourn.
Vote: Wohlert, Thies, Nissly, Klein and Gritsch voting aye.
The meeting adjourned at 8:02 p.m.


Gene Newgaard, Mayor


Kaci Elkin, City Clerk