

**CITY OF IOWA FALLS
REGULAR MEETING
AUGUST 21, 2017**

The Mayor and City Council of the City of Iowa Falls met in regular session on Monday, August 21, 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

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

APPROVAL OF MINUTES

Gritsch moved and Nissly seconded to approve the minutes of the regular meeting of July 17, 2017 and the special meeting of July 24, 2017.
Vote: Gritsch, Nissly, Thies, Wohlert and Davidson 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, Davidson and Gritsch voting aye.

CONSENT AGENDA

Thies moved and Gritsch seconded to approve the following items:

1. **Liquor Licenses**

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

2. **Cigarette Permit**

Cigarette Permit for Kwik Star #103.

3. **Greenbelt Christian Concert**

a. Resolution No. 2017-47 closing Stevens from Rocksylvania to Estes from 4:00 p.m. until midnight on Wednesday, September 20, 2017 for bus parking and unloading of students attending the concert.

b. Resolution No. 2017-48 closing Estes from Main to Stevens from 8:00 a.m. until midnight on Wednesday, September 20, 2017 for pedestrian safety with access for the police maintained at all times; no parking on the north side of Estes between Main and Stevens and no

parking on the west side of Main from Estes to Rocksylvana (only the 6 spots after the post office parking spots).

c. Noise ordinance variance for Estes Park to accommodate the music from noon Wednesday, September 20, 2017 through midnight.

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

OLD BUSINESS

4. Fire Chief Appointment Committee

Thies moved and Davidson seconded to approve the Fire Chief Appointment Committee's recommendation of Scott Eisentrager as Fire Chief effective October 1, 2017.

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

5. North Park Cadet Trail

Nissly moved and Wohlert seconded to approve Pay Estimate #1 in the amount of \$1,801.78 to Peterson Contractors Inc.

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

6. Crescent, Manor and Fremont Improvements

a. Wohlert moved and Nissly seconded to approve Change Order #5 in the amount of a \$2,767.60 decrease.

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

b. Wohlert moved and Gritsch seconded to approve Change Order #6 in the amount of \$4,300.00.

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

c. Nissly moved and Wohlert seconded to approve Pay Estimate #4 in the amount of \$122,209.93 to Heartland Asphalt, Inc.

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

7. South Iowa Falls Drainage & Utility Improvements

Thies moved and Gritsch seconded to approve Pay Estimate #4 in the amount of \$199,644.05 to Bob McKiness Excavating & Grading, Inc.

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

8. Brooks Road Improvements - 2017

Wohlert moved and Thies seconded to approve Pay Estimate #2 in the amount of \$223,178.45 to Kingston Services, LLC.

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

9. **Water/Wastewater Facility Plans**

a. Thies moved and Nissly seconded to approve an extension to the Master Agreement with FOX Engineering.

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

b. Nissly moved and Davidson seconded to approve the Wastewater Facility Plan Task Order with FOX Engineering.

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

c. Wohlert moved and Gritsch seconded to approve the Water Supply Facility Plan Task Order with FOX Engineering.

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

10. **Solid Waste Fees**

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 rates for solid waste collection and disposal.

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

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

Roll Vote: Nissly, Davidson, Gritsch and Wohlert voting aye. Thies voting no.

c. Wohlert moved and Nissly seconded to approve on third and final reading Ordinance No. 1102 amending the Code of Ordinances of the City of Iowa Falls, Iowa, by amending provisions pertaining to rates for solid waste collection and disposal.

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

11. **Washington Avenue Bridge**

Davidson moved and Wohlert seconded to approve Final Payment No. 10 to Peterson Contractors, Inc. in the amount of \$26,770.65.

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

NEW BUSINESS

12. **Water Service Line Repair**

Wohlert moved and Nissly seconded to authorize staff to work with Tim Sprain on a payment plan and also look for other possible funding sources for them.

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

13. **Property Purchase Request**

a. The Council discussed the request from Kurt & Tammy Knudson to purchase three properties from the City.

b. Thies moved and Gritsch seconded to approve Resolution No. 2017-49 setting date for a public hearing on the sale and vacation of the north and south road easement (unfinished W Third Street).

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

c. Nissly moved and Thies seconded to approve Resolution No. 2017-50 setting date for a public hearing on the sale and vacation of the east and west road easement (unfinished S Third Street).

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

d. Gritsch moved and Davidson seconded to approve Resolution No. 2017-51 setting date for a public hearing on the sale and vacation of the north and south alley easement directly east of 705 S 2nd.

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

14. **Voluntary Annexation**

Wohlert moved and Davidson seconded to approve Resolution No. 2017-52 setting a public hearing on the voluntary annexation of property for the September 18, 2017 City Council meeting.

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

15. **Development Agreements**

The Council discussed the current Development Agreements with Chamber/Main Street and Iowa Falls Area Development Corporation. Staff will move forward to update the Agreements and bring back to the Council for consideration.

16. **Airport Equipment Purchase**

Davidson moved and Wohlert seconded to approve the purchase of a batwing mower from Krogh-Oppold in the amount of \$9,000 using Airport funds.

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

17. **CIP Purchases**

a. Nissly moved and Thies seconded to approve the purchase of a new police vehicle in the amount of \$29,119 from Dale Howard Inc.

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

b. Wohlert moved and Nissly seconded to approve the purchase of a leaf vac in the amount of \$23,285 from Elliott Equipment.

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

c. The purchase of a boiler for the Street Garage was deferred until September.

18. **Handicap Parking**

a. Davidson moved and Thies seconded to approve a handicap parking spot by the Open Bible Church on the Estes Street side of the church.

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

b. Wohlert moved and Davidson seconded to approve moving the handicap parking space on the south side of the 500 block of Washington Avenue to the east side of the 300 block of Stevens Street.

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

19. **Food Trucks**

The Council discussed guidelines for food trucks.

20. **Animal Control**

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 animal protection and control.

Roll Vote: Thies, Wohlert, Gritsch and Nissly voting aye. Davidson voting no.

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

Roll Vote: Wohlert, Thies, Nissly and Gritsch voting aye. Davidson voting no.

c. Nissly moved and Wohlert seconded to approve on third and final reading Ordinance No. 1103 amending the Code of Ordinances of the City of Iowa Falls, Iowa, by amending provisions pertaining to animal protection and control.

Roll Vote: Nissly, Wohlert, Thies and Gritsch voting aye. Davidson voting no.

21. **City Hall Building**

City Manager Anderson presented proposals from architectural firms for design of a new City Hall.

22. **Legislative Updates**

a. 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 cigarette and tobacco permits.

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

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

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

c. Wohlert moved and Gritsch seconded to approve on third and final reading Ordinance No. 1104 amending the Code of Ordinances of the City of Iowa Falls, Iowa, by amending provisions pertaining to cigarette and tobacco permits.

Roll Vote: Wohlert, Gritsch, Davidson, Nissly and Thies 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 fireworks.

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

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

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

f. Nissly moved and Thies seconded to approve on third and final reading Ordinance No. 1105 amending the Code of Ordinances of the City of Iowa Falls, Iowa, by amending provisions pertaining to fireworks.

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

g. Nissly moved and Wohlert seconded to approve on first reading an Ordinance amending the Code of Ordinance of the City of Iowa Falls, Iowa, by amending provisions pertaining to interference with official acts.

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

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

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

i. Wohlert moved and Thies seconded to approve on third and final reading Ordinance No. 1106 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, Davidson and Gritsch voting aye.

j. Wohlert 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 water service discontinued.

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

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

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

l. Thies moved and Nissly seconded to approve on third and final reading Ordinance No. 1107 amending the Code of Ordinances of the City of Iowa Falls, Iowa, by amending provisions pertaining to water service discontinued.

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

m. Wohlert 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 all-terrain vehicles.

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

n. 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 Davidson voting aye.

o. Wohlert moved and Gritsch seconded to approve on third and final reading Ordinance No. 1108 amending the Code of Ordinances of the City of Iowa Falls, Iowa, by amending provisions pertaining to all-terrain vehicles.

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

23. **Alley and Street Vacations**

a. Wohlert moved and Nissly seconded to approve on first reading an Ordinance vacating a portion of the north/south alley in Blocks 12 and 13 of Rocksylvanias Addition to Iowa Falls, Hardin County, Iowa.

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

b. 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 Davidson voting aye.

c. Gritsch moved and Davidson seconded to approve third and final reading Ordinance No. 1109 vacating a portion of the north/south alley in Blocks 12 and 13 of Rocksylvanias Addition to Iowa Falls, Hardin County, Iowa.

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

d. Nissly moved and Wohlert seconded to approve on first reading an Ordinance vacating that portion of North 1st Street, lying north of and adjacent to Lot 2, Block 13, of Rocksylvanias Addition to Iowa Falls, Hardin County, Iowa, and lying south of and adjacent to Lot 7, Block 12, of Rocksylvanias Addition to Iowa Falls, Hardin County, Iowa.

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

e. 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 Davidson voting aye.

f. Thies moved and Wohlert seconded to approve on third and final reading Ordinance No. 1110 vacating that portion of North 1st Street, lying north of and adjacent to Lot 2, Block 13, of Rocksylvanias Addition to Iowa Falls, Hardin County, Iowa, and lying south of and adjacent to Lot 7, Block 12, of Rocksylvanias Addition to Iowa Falls, Hardin County, Iowa.

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

24. **Future Property Acquisitions**

Nissly moved and Davidson seconded to give staff funding discretion on future property acquisitions.

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

25. **City Manager's Compensation**

Wohlert moved and Nissly seconded to approve the recommendation of the Compensation Board to increase the City Manager's salary by \$2,500.

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

26. **Closed Session**

Wohlerl 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: Wohlerl, Nissly, Thies, Gritsch and Davidson voting aye.

Wohlerl moved and Thies seconded to go back into open session having taken no action during closed session.

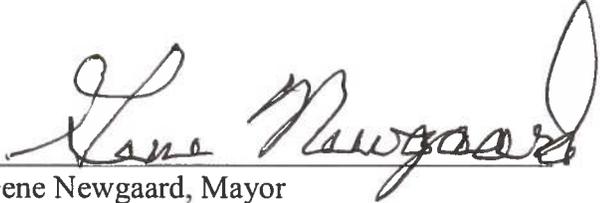
Roll Vote: Wohlerl, Thies, Nissly, Davidson and Gritsch voting aye.

ADJOURNMENT

Nissly moved and Gritsch seconded to adjourn.

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

The meeting adjourned at 9:45 p.m.


Gene Newgaard, Mayor


Page Hansen, City Clerk