

**CITY OF IOWA FALLS
REGULAR MEETING
SEPTEMBER 18, 2023**

The Mayor and City Council of the City of Iowa Falls met in regular session on Monday, September 18, 2023, at 6:30 p.m. with Mayor Michael R. Emerson presiding over the meeting. Council Members Micah Cutler, Michelle Gritsch, Steve Klein and Bruce Thies were present. Council Member Roger Nissly was absent. Also present was City Manager Jody Anderson.

ACCEPTANCE OF THE AGENDA

Cutler moved and Klein seconded to approve the agenda.
Vote: Cutler, Klein, Gritsch and Thies voting aye.

APPROVAL OF MONTHLY CLAIMS AND FINANCIALS

Thies moved and Gritsch seconded to approve the minutes of the regular meeting of August 21, 2023 and the special meeting of September 11, 2023.
Roll Vote: Thies, Gritsch, Klein and Cutler voting aye.

CONSENT AGENDA

Klein moved and Gritsch seconded to approve the following items:

1. **Liquor Licenses**

- a. Class E Retail Alcohol License for Rock C Liquor, Wine & Tobacco.
- b. Class C Liquor License for Plaza Vera Cruz.
- c. Special Class C Retail Alcohol License for Nik's Topsy Trailers for a 5-day permit.
- d. Class C Liquor License for The Five 0 Three.

2. **CDBG-CV Program**

Payment to Wiggles and Giggles in the amount of \$4,477.66.

Roll Vote: Klein, Gritsch, Thies and Cutler voting aye.

OLD BUSINESS

16. **Street Finance Report**

Cutler moved and Thies seconded to approve the Street Finance Report.

Roll Vote: Cutler, Thies, Gritsch and Klein voting aye.

3. **River Road Utility Extensions and Roadway Improvements**

Klein moved and Cutler seconded to approve Progress Payment #11 in the amount of \$409,000.11 to Gehrke, Inc.

Roll Vote: Klein, Cutler, Thies and Gritsch voting aye.

4. **Palisades East – Grading and Public Improvements**

Thies moved and Gritsch seconded to approve Progress Payment #4 in the amount of \$190,676.92 to Cole Excavating, LLC.

Roll Vote: Thies, Gritsch, Klein and Cutler voting aye.

5. **Heritage Estates – Grading & Public Improvements**

Gritsch moved and Cutler seconded to approve Progress Payment #3 in the amount of \$100,631.60 to McDowell & Sons Contractors, Inc.

Roll Vote: Gritsch, Cutler, Thies and Klein voting aye.

6. **Palisades Estates Development**

Robin Sampson and Jason Jedele discussed the proposed plans for the Palisades Estates Development.

7. **Flood Proofing Water Supply & Wastewater Facility**

a. Mayor Emerson opened the public hearing on the plans, specifications, form of contract and opinion of probable cost for the project. There were no oral or written comments. Mayor Emerson closed the public hearing.

b. Klein moved and Thies seconded to approve Resolution No. 2023-37 approving plans, specifications, form of contract and opinion of probable cost for the construction of the Flood Proofing of Public Water Supply and Wastewater Treatment Facility in Iowa Falls, Iowa.

Roll Vote: Klein, Thies, Cutler and Gritsch voting aye.

8. **Pool Vacuum**

Cutler moved and Thies seconded to approve the quotes for the pool vacuum from Carrico in the amount of \$14,340.17 with the funds coming from 80% LOST.

9. **City Concrete Projects**

Thies moved and Klein seconded to approve the proposal from Old Style Masonry for small City concrete projects with the funding coming from 80% LOST or Water and Wastewater funds at the discretion of the City Manager and the City Clerk.

Roll Vote: Thies, Klein, Gritsch and Cutler voting aye.

NEW BUSINESS

10. **Main Street Program**

Klein moved and Cutler seconded to approve Resolution No. 2023-38 of Support and Financial Commitment for the Main Street Program in Iowa Falls.

Roll Vote: Klein, Cutler, Thies and Gritsch voting aye.

11. **R & T Enterprises, Inc.**

Gritsch moved and Thies seconded to approve Resolution No. 2023-39 authorizing execution of a Termination Agreement by and between the City of Iowa Falls and R&T Enterprises, Inc. terminating the Agreement for Private Development and Minimum Assessment Agreement and Release of the City Mortgage and the UCC Financing Statement by and between the City of Iowa Falls and R&T Enterprises, Inc.

Roll Vote: Gritsch, Thies, Cutler and Klein voting aye.

12. **No Parking**

a. Klein 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 No Parking Zones on Pine Street.

Roll Vote: Klein, Gritsch, Thies and Cutler voting aye.

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

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

c. Cutler moved and Klein seconded to approve on third and final reading Ordinance No. 1185 amending the Code of Ordinances of the City of Iowa Falls, Iowa, by amending provisions pertaining to No Parking Zones on Pine Street.

Roll Vote: Cutler, Klein, Gritsch and Thies voting aye.

d. Thies moved and Gritsch seconded to approve on first reading an Ordinance amending the Code of Ordinances of the City of Iowa Falls, Iowa, by adding a new subsection in regard to No Parking Zones on College Avenue.

Roll Vote: Thies, Gritsch, Klein and Cutler 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, Cutler and Gritsch voting aye.

f. Thies moved and Cutler seconded to approve on third and final reading Ordinance No. 1186 amending the Code of Ordinances of the City of Iowa Falls, Iowa, by adding a new subsection in regard to No Parking Zones on College Avenue.

Roll Vote: Thies, Cutler, Klein and Gritsch voting aye.

13. **Zoning**

Klein moved and Gritsch seconded to set date for a public hearing on amendments to definition for public garage and permitted uses in Arterial Commercial District and General Commercial District for the regular City Council meeting on October 16, 2023 at 6:30 p.m. at the City Council Chambers located at 901 Washington Avenue in Iowa Falls, Iowa.

Roll Vote: Klein, Gritsch, Cutler and Thies voting aye.

14. **Leaf and Brush Pickup**

Thies moved and Cutler seconded to schedule a special meeting to discuss the leaf and brush pickup.

Roll Vote: Thies, Cutler, Klein and Gritsch voting aye.

15. **Halloween Trick or Treat**

Cutler moved and Thies seconded to set Halloween Trick or Treat for October 31st from 5:30 p.m. – 7:30 p.m.

Roll Vote: Cutler, Thies, Gritsch and Klein voting aye.

17. **Ellsworth College Wrestling Day**

a. Klein moved and Gritsch seconded to approve Resolution No. 2023-40 closing the parking on the north side of Estes Street, south of the Bandshell, from Main Street to Stevens Street from 8:00 a.m. until 7:00 p.m. on Saturday, October 14, 2023 for porta potties, grilling and unloading of equipment.

Roll Vote: Klein, Gritsch, Thies and Cutler voting aye.

b. Thies moved and Cutler seconded to approve a noise ordinance variance for Estes Park to accommodate the music from noon through 7:00 p.m. on Saturday, October 14, 2023.

Roll Vote: Thies, Cutler, Klein and Gritsch voting aye.

18. **Closed Session**

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

Roll Vote: Thies, Klein, Gritsch and Cutler voting aye.

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

Roll Vote: Cutler, Gritsch, Klein and Thies voting aye.

ADJOURNMENT

Thies moved and Klein seconded to adjourn.

Vote: Thies, Klein, Gritsch and Cutler voting aye.

The meeting adjourned at 7:52 p.m.



Michael R. Emerson, Mayor



Kaci Elkin, City Clerk