

**CITY OF IOWA FALLS
REGULAR MEETING
OCTOBER 19, 2009**

The Mayor and City Council of the City of Iowa Falls met in regular session on Monday, October 19, 2009 with Mayor Jerrold Welden presiding over the meeting. Council Members John Allan, Jody Anderson, Mark Messa and Bruce Thies were present. Council Member David Gritsch was absent. Also present was City Manager Brian Weuve.

ACCEPTANCE OF THE AGENDA

Messa moved and Thies seconded to accept the agenda as written.
Vote: Messa, Thies, Allan and Anderson voting aye.

APPROVAL OF MINUTES

Anderson moved and Allan seconded to approve the minutes of the regular meeting of September 21, 2009.
Vote: Anderson, Allan, Thies and Messa voting aye.

APPROVAL OF MONTHLY CLAIMS

Anderson moved and Messa seconded to approve the monthly claims.
Roll Vote: Anderson, Messa, Allan and Thies voting aye.

CONSENT AGENDA

Anderson moved and Allan seconded to approve the following items:

1. **Liquor License**

Class C Liquor License for Casey's at 1223 N Oak Street.

2. **Sing in the Holidays**

Resolution No. 2009-42 approving the closure of River Street from Union Street to Washington Avenue and Washington Avenue from River Street to Fremont Street for the Sing in the Holidays Lighted Parade on Friday, November 27, 2009 from 6:00 p.m. until 6:30 p.m.

Roll Vote: Anderson, Allan, Thies and Messa voting aye.

Item #11 was moved to this point on the agenda.

11. **Alliant Energy**

a. Jim Collins with Alliant Energy commented on the project at the library.

b. Anderson moved and Messa seconded to approve the Performance Edge Contract for City Hall and the Police Station.

Roll Vote: Anderson, Messa, Thies and Allan voting aye.

OLD BUSINESS

3. **Citizen Request**

a. Allan moved and Thies seconded to approve Resolution No. 2009-43 fixing a public hearing on the proposal to vacate that portion of a public alley for any further use as a street or alley, which said alley lies between lots 1 and 9 in Sunset Plaza, an addition to the City of Iowa Falls, Iowa, subject to reservation of easements for existing or future utilities.

Roll Vote: Allan, Thies, Anderson and Messa voting aye.

b. Allan moved and Anderson seconded to approve Resolution No. 2009-44 tentatively approving a lease of city property for a period of ten (10) years with option to renew.

Roll Vote: Allan, Anderson, Messa and Thies voting aye.

4. **Official Zoning Map**

Messa moved and Allan seconded to approve on third and final reading Ordinance No. 966 adopting the official zoning map of the City of Iowa Falls, Iowa.

Roll Vote: Messa, Allan, Thies and Anderson voting aye.

5. **2009 Legislative Changes**

a. Anderson moved and Allan seconded to approve on second reading an Ordinance amending the Code of Ordinances of the City of Iowa Falls, Iowa, by amending provisions pertaining to the standard penalty.

Roll Vote: Anderson, Allan, Thies and Messa voting aye.

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

Roll Vote: Allan, Thies, Anderson and Messa voting aye.

c. Messa moved and Anderson seconded to approve on third and final reading Ordinance No. 967 amending the Code of Ordinances of the City of Iowa Falls, Iowa, by amending provisions pertaining to the standard penalty.

Roll Vote: Messa, Anderson, Thies and Allan voting aye.

d. Allan moved and Anderson seconded to approve on second reading an Ordinance amending the Code of Ordinances of the City of Iowa Falls, Iowa, by amending provisions pertaining to municipal infractions.

Roll Vote: Allan, Anderson, Messa and Thies voting aye.

e. Allan moved and Anderson seconded to approve under the suspension of the rules and placing on third and final reading.

Roll Vote: Allan, Anderson, Messa and Thies voting aye.

f. Messa moved and Anderson seconded to approve on third and final reading Ordinance No. 968 amending the Code of Ordinances of the City of Iowa Falls, Iowa, by amending provisions pertaining to municipal infractions.

Roll Vote: Messa, Anderson, Thies and Allan voting aye.

g. Thies moved and Allan seconded to approve on second reading an Ordinance amending the Code of Ordinances of the City of Iowa Falls, Iowa, by amending provisions pertaining to parking violations: alternate.

Roll Vote: Thies, Allan, Messa and Anderson voting aye.

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

Roll Vote: Allan, Thies, Anderson and Messa voting aye.

i. Messa moved and Anderson seconded to approve on third and final reading Ordinance No. 969 amending the Code of Ordinances of the City of Iowa Falls, Iowa, by amending provisions pertaining to parking violations: alternate.

Roll Vote: Messa, Anderson, Thies and Allan voting aye.

j. Allan moved and Anderson seconded to approve on second reading an Ordinance amending the Code of Ordinances of the City of Iowa Falls, Iowa, by amending provisions pertaining to abandoned vehicles.

Roll Vote: Allan, Anderson, Messa and Thies voting aye.

k. Allan moved and Anderson seconded to approve under the suspension of the rules and placing on third and final reading.

Roll Vote: Allan, Anderson, Messa and Thies voting aye.

l. Messa moved and Thies seconded to approve on third and final reading Ordinance No. 970 amending the Code of Ordinances of the City of Iowa Falls, Iowa, by amending provisions pertaining to abandoned vehicles.

Roll Vote: Messa, Thies, Allan and Anderson voting aye.

m. Allan moved and Anderson seconded to approve on second reading an Ordinance amending the Code of Ordinances of the City of Iowa Falls, Iowa, by amending provisions pertaining to utility service.

Roll Vote: Allan, Anderson, Messa and Thies voting aye.

n. Anderson moved and Allan seconded to approve under the suspension of the rules and placing on third and final reading.

Roll Vote: Anderson, Allan, Thies and Messa voting aye.

o. Messa moved and Thies seconded to approve on third and final reading Ordinance No. 971 amending the Code of Ordinances of the City of Iowa Falls, Iowa, by amending provisions pertaining to utility service.

Roll Vote: Messa, Thies, Allan and Anderson voting aye.

p. Anderson moved and Allan seconded to approve on second reading an Ordinance amending the Code of Ordinances of the City of Iowa Falls, Iowa, by amending provisions pertaining to the definition of “lodging” in the Hotel/Motel Tax Chapter.

Roll Vote: Anderson, Allan, Thies and Messa voting aye.

q. Messa moved and Allan seconded to approve under the suspension of the rules and placing on third and final reading.

Roll Vote: Messa, Allan, Thies and Anderson voting aye.

r. Allan moved and Anderson seconded to approve on third and final reading Ordinance No. 972 amending the Code of Ordinances of the City of Iowa Falls, Iowa, by amending provisions pertaining to the definition of “lodging” in the Hotel/Motel Tax Chapter.

Roll Vote: Allan, Anderson, Messa and Thies voting aye.

6. **No Parking Ordinance**

a. Anderson moved and Allan seconded to approve on second reading an Ordinance amending the Code of Ordinances of the City of Iowa Falls, Iowa, by amending provisions pertaining to no parking zones.

Roll Vote: Anderson, Allan, Thies and Messa voting aye.

b. Messa moved and Anderson seconded to approve under suspension of the rules and placing on third and final reading.

Roll Vote: Messa, Anderson, Thies and Allan voting aye.

c. Thies moved and Allan seconded to approve on third and final reading Ordinance No. 973 amending the Code of Ordinances of the City of Iowa Falls, Iowa, by amending provisions pertaining to no parking zones.

Roll Vote: Thies, Allan, Messa and Anderson voting aye.

7. **Water Revenue Capital Loan Notes**

a. Mayor Welden opened the public hearing on the authorization of a Loan Agreement and the issuance of notes to evidence the obligation of the City thereunder. There were no oral or written comments. Mayor Welden closed the public hearing.

b. Anderson moved and Thies seconded to approve Resolution No. 2009-45 instituting proceedings to take additional action.

Roll Vote: Anderson, Thies, Allan and Messa voting aye.

c. Anderson moved and Thies seconded to table the approval of a Resolution directing the acceptance of a proposal to purchase \$1,095,000 Water Revenue Capital Loan Notes, Series 2009.

Roll Vote: Anderson, Thies, Allan and Messa voting aye.

8. **Sewer Revenue Capital Loan Notes**

a. Mayor Welden opened the public hearing on the issuance of sewer revenue capital loan notes. There were no oral or written comments. Mayor Welden closed the public hearing.

b. Anderson moved and Messa seconded to approve Resolution No. 2009-46 instituting proceedings to take additional action.

Roll Vote: Anderson, Messa, Allan and Thies voting aye.

c. Allan moved and Anderson seconded to table the approval of a Resolution directing the acceptance of a proposal to purchase \$3,430,000 Sewer Revenue Capital Loan Notes, Series 2009.

Roll Vote: Allan, Anderson, Messa and Thies voting.

9. **Oak Street Bridge Project**

a. Mayor Welden opened public hearing on the sale of real property. City Manager Weuve explained what the Department of Transportation is requesting. There were no further oral or written comments. Mayor Welden closed the public hearing.

b. Anderson moved and Allan seconded to approve the Purchase Agreement.
Roll Vote: Anderson, Allan, Thies and Messa voting aye.

c. Messa moved and Allan seconded to approve an Easement for Subterranean Purposes.
Roll Vote: Messa, Allan, Thies and Anderson voting aye.

d. Allan moved and Thies seconded to approve Resolution No. 2009-47 entitled Cities and Towns Certification of Municipal Corporate Resolutions Sale of Real Property and Delivery of Conveyance.
Roll Vote: Allan, Thies, Anderson and Messa voting aye.

10. **Trails Project**

Anderson moved and Allan seconded to approve Resolution No. 2009-48 to approve a statewide enhancement project funding application for recreational trail and bridge near Ellsworth Municipal Hospital part of Rock Run Creek Trail – Phase 1.
Roll Vote: Anderson, Allan, Thies and Messa voting aye.

NEW BUSINESS

12. **Housing Grant**

a. Mayor Welden opened the public hearing on the submittal of an application to the Iowa Department of Economic Development Housing Fund for a \$360,000 Grant for improving at least ten owner occupied structures within Iowa Falls. Donna Sampson with Region 6 Planning Commission explained that the application would be for a \$329,990 Iowa Department of Economic Development Housing Fund application for improving at least ten owner occupied structures within Iowa Falls. There were three applicants from the phase II project that could not be assisted. There are more than 25 interested pre-applicants on file. This phase III project will assist with meeting the needs contained in the 1996 Housing Study. The proposed project will be funded through a \$329,990 CDBG application and \$30,000 of City funds. The CDBG application will be submitted on November 13, 2009. The City will hear whether the project is funded in April of 2010. If the project is selected for funding, applications will be accepted in early summer 2010 and the work will continue through March 2012. All the funds will benefit persons of low and moderate incomes. The proposed project will be done in the Central Target Neighborhood which is generally north of the Iowa River and west of Ellsworth Municipal Hospital. Nobody will be displaced with the project.

The work will include rehabilitation of owner occupied structures. There were no further oral or written comments. Mayor Welden closed the public hearing.

b. Messa moved and Thies seconded to approve Resolution No. 2009-49 to approve the Iowa Falls Housing rehabilitation application to the Iowa Department of Economic Development Housing Fund.

Roll Vote: Messa, Thies, Allan and Anderson voting aye.

13. **Washington Avenue Bridge Lighting**

Messa moved and Thies seconded to approve the proposal from Barnhart Electric to repair the lighting on the Washington Avenue Bridge.

Roll Vote: Messa, Thies, Allan and Anderson voting aye.

14. **Easement Agreement**

Anderson moved and Allan seconded to table the approval of a Resolution approving an Easement Agreement with QWEST Corporation for an easement for a piece of land 10 feet wide to cross park property.

Roll Vote: Anderson, Allan, Thies and Messa voting aye.

15. **Airport Farm Lease**

Anderson moved and Thies seconded to approve the Farm Lease with Stephen D. Renaud.

Roll Vote: Anderson, Thies, Allan and Messa voting aye.

16. **Development Agreement**

Allan moved and Anderson seconded to approve Resolution No. 2009-51 fixing date for a meeting on the proposal to enter into a Development Agreement with Iowa Falls Area Development Corporation.

Roll Vote: Allan, Anderson, Messa and Thies voting aye.

17. **Country Club Road Project**

Messa moved and Allan seconded to approve Pay Request # 1 in the amount of \$87,002.37 to Con-Struct, Inc.

Roll Vote: Messa, Allan, Thies and Anderson voting aye.

18. **Sump Pump Inspection Ordinance**

Anderson moved and Allan seconded to approve on first reading of an Ordinance amending the Code of Ordinances of the City of Iowa Falls, Iowa, by adding a new section in regard to sump pump and groundwater standards.

Roll Vote: Anderson, Allan, Thies and Messa voting aye.

19. **Annual Financial Report**

Anderson moved and Allan seconded to approve the City of Iowa Falls Annual Financial Report for fiscal year 2008-2009.

Roll Vote: Anderson, Allan, Thies and Messa voting aye.

ADJOURNMENT

Mayor Welden declared the meeting adjourned at 8:15 p.m.

Jerrold Welden, Mayor

Attest:

Jon Kies, City Clerk