

**CITY OF IOWA FALLS  
REGULAR MEETING  
MAY 19, 2014**

The Mayor and City Council of the City of Iowa Falls met in regular session on Monday, May 19, 2014 at 6:30 p.m. with Mayor Gene Newgaard presiding over the meeting. Council Members Verv Davidson, Mark Messa, Roger Nissly and Bruce Thies were present. Council Member Rob Wohlert joined the meeting after it was called to order. 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, Messa and Davidson voting aye.

**APPROVAL OF MINUTES**

a. Messa moved and Davidson seconded to approve the minutes of the regular meeting of April 21, 2014.  
Vote: Messa, Davidson, Nissly and Thies voting aye.

b. Thies moved and Nissly seconded to approve the minutes of the special meeting of May 6, 2014.  
Vote: Thies, Nissly, Messa and Davidson voting aye.

c. Nissly moved and Davidson seconded to approve the minutes of the special meeting of May 12, 2014.  
Vote: Nissly, Davidson, Messa and Thies voting aye.

**APPROVAL OF MONTHLY CLAIMS**

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

**CONSENT AGENDA**

Messa moved and Thies seconded to approve the following items:

1. **Liquor License**

Class C Liquor License for the Iowa Falls Elks Lodge.

2. **Noise Ordinance Variance**

Noise Ordinance Variance for Friday, May 23, 2014 from 12:00 noon until 11:30 p.m. in Estes Park for the Iowa Falls JAM.

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

## **OLD BUSINESS**

Council Member Wohlert joined the meeting at this point.

### 3. **Weasels Den**

a. A hearing was held on the third violation of selling tobacco or cigarettes to a person under eighteen years of age. City Attorney Mike Holt distributed the documents showing the sale of tobacco to a person under the age of eighteen years of age three times in three years.

b. Roger Nissly, Bruce Thies, Mark Messa, Verv Davidson and Rob Wohlert all agreed that it was shown that the Weasels Den did sell tobacco to persons under the age of eighteen years three times in three years requiring the mandatory suspension of the cigarette permit for thirty days beginning May 20, 2014 and the payment of a \$1,500 fine to the City of Iowa Falls.

### 4. **Jenning's Lake Bypass Sewer Project**

Mitch Holtz with FOX Engineering reviewed the three options for the project. No action was taken at this time.

### 5. **Bond Financing**

Scott Stevenson with DA Davidson & Co. discussed possible bond financing for various projects. A special meeting will be scheduled to discuss and prioritize the projects.

### 6. **Senior Services Center**

Nissly moved and Davidson seconded to approve the Agreement between the City of Iowa Falls and the Senior Citizen's Club for use of the Iowa Falls Fire Station for meals and activities. Roll Vote: Nissly, Davidson, Messa, Wohlert and Thies voting aye.

### 7. **Pedestrian Walkway**

Bids will be brought back to the Council for review and consideration.

### 8. **Swinging Bridge**

No costs to remove the concrete posts and the step have been received yet.

### 9. **2014 Street Projects**

Bruce Jeffries, Streets & Sanitation Superintendent, reported that bids have not been turned in yet.

### 10. **506 and 508 Washington**

City Manager Anderson reported that there have been several meetings in regard to the buildings.

11. **Hospital/Clinic Buildings**

City Clerk Jon Kies reported that no bids were received.

12. **FY2013-2014 Budget Amendment**

a. Mayor Newgaard opened the public hearing on the amendment to the FY2013-2014 Budget. There were no oral or written comments. Mayor Newgaard closed the public hearing.

b. Messa moved and Thies seconded to approve Resolution No. 2014-11 amending the current budget for the fiscal year ending June 30, 2014.

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

**NEW BUSINESS**

13. **Alley Elimination**

The Council reviewed the request from Curt and Donna Ites to eliminate the alley running north and south on the west side of their property at 1124 East Rocksylvania Avenue. The Council agreed to proceed with the vacation of the alley.

14. **Pine Street Filter**

Scott Peden, Water/Wastewater Superintendent, commented on the Pine Street Filter project. No price estimates have been determined yet.

15. **Airport Apron Pavement Maintenance**

Nissly moved and Messa seconded to approve Amendment #4 with McClure Engineering for the Apron Pavement Maintenance (Joint Cleaning/Sealing and Patching) Project.

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

16. **Iowa Department of Transportation**

Davidson moved and Nissly seconded to approve the Iowa Department of Transportation Railroad Revolving Loan and Grant Program Agreement with the Council to make the decision before any money is spent.

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

17. **Washington Avenue Project**

Messa moved and Davidson seconded to ask for \$10,000 from Denco for poor performance on the project. Messa withdrew his motion and Davidson withdrew his second.

Messa moved and Davidson seconded to request from Denco \$16,000, in addition to the \$15,000 that has been withheld for the poor performance of the project and direct the City Attorney to submit a letter to Denco in regard to this matter.

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

18. **Urban Renewal Plan Amendment**

Messa moved and Nissly seconded to approve Resolution No. 2014-12 setting dates of a consultation and a public hearing on a proposed Amendment #12 to the Iowa Falls Urban Renewal Plan in the City of Iowa Falls, State of Iowa.

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

19. **CDBG Revolving Loan Fund**

Nissly moved and Thies seconded to set a public hearing for the June 16, 2014 regular City Council meeting on the Addendum to the CDBG Revolving Loan Fund.

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

20. **Appointments**

a. Messa moved and Nissly seconded to approve the Mayor's appointment of the following to the Revolving Loan Fund Loan Review Committee: Doug Truex for a term to expire April 2017, Jason Snyder for a term to expire April 2016, Bob Carpenter for a term to expire April 2016 and Doug Haverkamp for a term to expire April 2016.

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

b. Nissly moved and Wohlert seconded to approve the Mayor's appointment of Kathy Rauscher to the Board of Adjustment for a term to expire May 2019.

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

21. **Closed Session**

Nissly moved and Thies seconded to go into closed session as allowed in Iowa Code Section 21.5.j to discuss land acquisition.

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

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

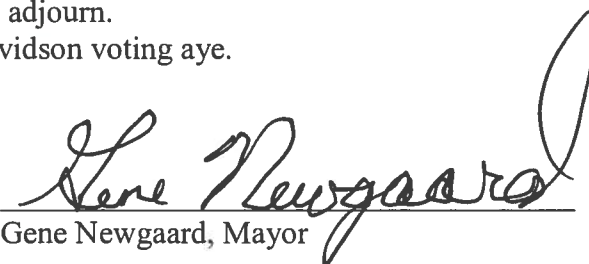
Roll Vote: Messa, Nissly, Thies, Wohlert and Davidson voting aye.

**ADJOURNMENT**

Messa moved and Nissly seconded to adjourn.

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

The meeting adjourned at 9:20 p.m.

  
Gene Newgaard, Mayor

Attest:

  
Jon Kies, City Clerk