

**CITY OF IOWA FALLS
REGULAR MEETING
JUNE 20, 2011**

The Mayor and City Council of the City of Iowa Falls met in regular session on Monday, June 20, 2011 with Mayor Pro-Tem Mark Messa presiding over the meeting. Council Members David Hampe, Kurt Knudson and Bruce Thies were present. Council Member Jody Anderson arrived after the meeting was called to order. Mayor Jerrold Welden was absent.

ACCEPTANCE OF THE AGENDA

Hampe moved and Knudson seconded to approve the agenda with the removal of item 2 Cigarette Permits from the Consent Agenda.
Vote: Hampe, Knudson, Thies and Messa voting aye.

APPROVAL OF MINUTES

Knudson moved and Thies seconded to approve the minutes of the Regular Meeting of May 16, 2011; Special Meeting of May 23, 2011; Special Meeting of May 25, 2011; Special Meeting of May 27, 2011 and Special Meeting of June 6, 2011.
Vote: Knudson, Thies, Hampe and Messa voting aye.

APPROVAL OF MONTHLY CLAIMS

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

Council Member Anderson arrived at this point in the meeting.

CONSENT AGENDA

Anderson moved and Hampe seconded to approve the following items:

1. **Tax Abatement Application**

A tax abatement application for Michael & Molly Stensland.

3. **Street Closure Request**

Resolution No. 2011-20 closing Willow Lane from Taylor Avenue to Custer Street on Friday, July 8, 2011 from 5:00 p.m. until 8:00 p.m. for a block party.

4. **Riverbend Rally 5K Run/Walk and the Bill Riley Memorial Bike Ride**

- a. The Riverbend Rally 5K Run/Walk Route for Monday, July 4th beginning at 7:00 a.m.
- b. The Bill Riley Memorial Bike Ride Route for Saturday, July 2nd beginning at 2:00 p.m.

5. **Liquor License**

- a. Special Class C Liquor License (Beer/Wine) for Q2.
- b. Class C Liquor License & Outdoor Service Area for the Elks Club.
- c. New Class C Beer Permit for Casey's General Stores #3027.

Roll Vote: Anderson, Hampe, Thies, Knudson and Messa voting aye.

2. **Cigarette Permits**

Hampe moved and Knudson seconded to approve the cigarette permit request with the exception of the Weasels Den.

Roll Vote: Hampe and Knudson voting aye, Anderson, Messa and Thies voting no.

Anderson moved and Messa seconded to approve Cigarette Permits for the following businesses: Casey's General Store 1223 Oak Street, Casey's General Store 1801 Washington Avenue, Casey's General Store 904 Washington Avenue, Fareway, Handi-Stop Food Mart, Hy-Vee Food Store, Kum & Go, Rock C Store, Wal-Mart Store and Weasels Den.

Roll Vote: Anderson, Messa and Thies voting aye, Hampe and Knudson voting no.

OLD BUSINESS

6. **Ellis Avenue Project**

a. Mayor Pro-Tem Messa opened the public hearing on the authorization of a Loan Agreement and the issuance of not to exceed \$4,200,000 General Obligation Capital Loan Notes, Series 2011, of the City of Iowa Falls, State of Iowa. There were no oral or written comments. Mayor Pro-Tem Messa closed the public hearing.

b. Anderson moved and Knudson seconded to approve Resolution No. 2011-21 instituting proceedings to take additional action for the authorization of a Loan Agreement and the issuance of not to exceed \$4,200,000 General Obligation Capital Loan Notes.

Roll Vote: Anderson, Knudson, Thies, Hampe and Messa voting aye.

c. Mayor Pro-Tem Messa opened the public hearing on the authorization of a Loan Agreement and the issuance of not to exceed \$850,000 Sewer Revenue Capital Loan Notes, of the City of Iowa Falls, State of Iowa. There were no oral or written comments. Mayor Pro-Tem Messa closed the public hearing.

d. Hampe moved and Knudson seconded to approve Resolution No. 2011-22 instituting proceedings to take additional action for the authorization of a Loan Agreement and the issuance of not to exceed \$850,000 Sewer Revenue Capital Loan Notes.

Roll Vote: Hampe, Knudson, Thies, Messa and Anderson voting aye.

e. Thies moved and Anderson seconded to approve the designation of FOX Engineering Associates as the engineers for the project.

Roll Vote: Thies, Anderson, Messa, Knudson and Hampe voting aye.

f. Anderson moved and Hampe seconded to approve Resolution No. 2011-23 to adopt the Preliminary Resolution pursuant to Section 384.42 of the Iowa Code covering the Ellis Avenue Street and Utility Reconstruction Project.

Roll Vote: Anderson, Hampe, Thies, Knudson and Messa voting aye.

g. Knudson moved and Hampe seconded to approve Resolution No. 2011-24 adopting the Preliminary Plans and Specifications, Plat and Schedule and estimate of Cost for the Ellis Avenue Street and Utility Reconstruction Project.

Roll Vote: Knudson, Hampe and Messa voting aye, Thies and Anderson voting no.

h. Messa moved and Hampe seconded to approve Resolution No. 2011-25 adopting a Proposed Resolution of Necessity, Set Public Hearing for said Resolution of Necessity for July 18, 2011, and direct City Clerk to give notice of public hearing by publication and mailing, as required by Section 384.50 of the Iowa Code for the Ellis Avenue Street and Utility Reconstruction Project.

Roll Vote: Messa, Hampe, Thies, Knudson and Anderson voting aye.

i. Thies moved and Knudson seconded to set the Bid Date for July 12, 2011 at 1:00 p.m. and set the public hearing date for July 18, 2011 at the 6:30 p.m. City Council for the proposed Ellis Avenue Street & Utility Reconstruction Project.

Roll Vote: Thies, Knudson, Hampe, Messa and Anderson voting aye.

7. **Riverworks, LLC Lease of Land**

a. Thies moved and Messa seconded to approval on second reading an Ordinance vacating that portion of Main Street described as: Commencing at the northeast corner of Lot Two (2), Block Twenty-two (22), Original Town of Iowa Falls, Hardin County, Iowa, thence north on the east line of said Lot One (1) in said Block Twenty-Two (22), a distance of 13 feet and 8 inches from the point of beginning; thence north 30; thence east a distance of 6 feet; thence south parallel to the east line of said Lot One (1) 30 feet; thence west parallel to the north line of said Lot One (1) 6 feet to the point of beginning.

Roll Vote: Thies, Messa, Anderson and Knudson voting aye, Hampe voting no.

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

Roll Vote: Thies, Messa and Anderson voting aye, Knudson and Hampe voting no. The motion failed.

8. **Ordinance**

a. Knudson 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 Planning and Zoning Commission.

Roll Vote: Knudson, Anderson, Messa, Thies and Hampe voting aye.

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

Roll Vote: Knudson, Hampe, Thies, Messa and Anderson voting aye.

c. Anderson moved and Thies seconded to approve on third and final reading Ordinance No. 1006 amending the Code of Ordinances of the City of Iowa Falls, Iowa, by amending provisions pertaining to Planning and Zoning Commission.

Roll Vote: Anderson, Thies, Hampe, Knudson and Messa voting aye.

NEW BUSINESS

9. **Ellsworth Municipal Hospital**

Anderson moved and Thies seconded to approve the request for the placement of a campaign progress sign on the Barlow Library property for a period of up to one year contingent upon approval of the Library Board.

Vote: Anderson, Thies, Hampe, Knudson and Messa voting aye.

10. **Airport Runway Project**

a. Mayor Pro-Tem Messa opened the public hearing on the plans, specifications, form of contract and estimate of cost for the construction. There were no oral or written comments. Mayor Pro-Tem Messa closed the public hearing.

b. Anderson moved and Knudson seconded to approve Resolution No. 2011-26 approving the plans, specifications, form of contract and estimate of cost for the construction.

Roll Vote: Anderson, Knudson, Thies, Hampe and Messa voting aye.

c. Two bids were received, Heartland Asphalt of Mason City, Iowa with a base bid of \$764,414.60, Alternate A \$96,277.20 and Alternate B \$94,753.20 for a total bid of \$937,445.00; PCI of Reinbeck, Iowa with a base bid of \$759,227.25, Alternate A \$84,795.59 and Alternate B \$94,543.25 for a total bid of \$938,566.00.

Anderson moved and Knudson seconded to approve the bid from Heartland Asphalt in the amount of \$937,445 contingent upon the FAA approval and award of contract.

Roll Vote: Anderson, Knudson, Messa, Thies and Hampe voting aye.

11. **ITC Midwest**

Anderson moved and Knudson seconded to accept the recommendation of the Park Board requesting \$150,000 for the easement in Ellsworth Park and to include the eastside property.

Vote: Anderson, Knudson, Messa, Thies and Hampe voting aye.

12. **Goldfinch Estates Re-plat**

Knudson moved and Thies seconded to approve Resolution No. 2011-27 accepting Amended and Substituted Re-plat for Goldfinch Estates, LLC located on J Avenue within the two mile radius of the city limits.

Roll Vote: Knudson, Thies, Hampe, Anderson and Messa voting aye.

13. **Camp David Dock Permit**

Anderson moved and Knudson seconded to not grant permission for the dock permit in front of City property and if the dock is already there it needs to be removed.

Roll Vote: Anderson, Knudson, Messa and Hampe voting aye, Thies voting no.

14. **Hazard Mitigation Plan**

Anderson moved and Hampe seconded to approve Resolution No. 2011-28 adopting the Hardin County Multi-jurisdictional hazard mitigation plan.

Roll Vote: Anderson, Hampe, Thies, Knudson and Messa voting aye.

15. **Police Department HVAC Upgrade**

Anderson moved and Thies seconded to approve the bid from Barnhart Electric in the amount of \$39,500 using the 80% LOST funds for any additional amount over the budgeted amount for the HVAC system for the Police Department.

Roll Vote: Anderson, Thies, Hampe, Knudson and Messa voting aye.

16. **Asphalt Patch Bids**

Anderson moved and Knudson seconded to approve the bid from Blacktop Services in the amount of \$19,170.41 with the funds coming from Road Use Cash Reserved.

Roll Vote: Anderson, Knudson, Messa, Thies and Hampe voting aye.

17. **Mowing Assistance**

Anderson moved and Messa seconded to allow \$1,000 for mowing assistance utilizing current part time employees who are at least 18 years of age and funding this from the 20% LOST.

Vote: Anderson, Messa, Knudson, Thies and Hampe voting aye.

18. **Flint Hills Resources – Development Agreement**

Anderson moved and Knudson seconded to grant a waiver to Flint Hills Resources from the requirement to submit annual audited financial reports.

Vote: Anderson, Knudson, Messa, Thies and Hampe voting aye.

19. **Benefit Resources of Iowa**

Thies moved and Hampe seconded to approve the Consulting Brokerage/Services Agreement with Benefit Resources of Iowa.

Vote: Thies, Hampe, Anderson, Messa and Knudson voting aye.

20. **CDBG Related Policies**

Thies moved and Anderson seconded to approve Resolution No. 2011-29 adopting an Equal Opportunity Policy Statement and Affirmative Fair Housing Policy.

Roll Vote: Thies, Anderson, Messa, Knudson and Hampe voting aye.

21. **Employee Salaries**

Knudson moved and Thies seconded to approve Resolution No. 2011-30 approving the 2011-2012 salaries and to include a \$2,500 addition in the salary for Jon Kies.

Roll Vote: Knudson, Thies, Hampe, Anderson and Messa voting aye.

22. **Appointments**

a. Knudson moved and Thies seconded to approve the appointment of Lori Krause to the Planning & Zoning Commission for a five year term to expire May 2016.

Vote: Knudson, Thies, Hampe, Anderson and Messa voting aye.

b. This item was deferred – Mayor appointment with City Council approval of two appointments to the Board of Adjustment for five year terms to expire May of 2016.

ADJOURNMENT

Knudson moved and Thies seconded to adjourn.

Vote: Knudson, Thies, Hampe, Anderson and Messa voting aye.

The meeting adjourned at 8:30 p.m.

Mark Messa, Mayor Pro-Tem

Attest:

Jon Kies, City Clerk