

**CITY OF IOWA FALLS  
REGULAR MEETING  
JULY 18, 2011**

The Mayor and City Council of the City of Iowa Falls met in regular session on Monday, July 18, 2011 with Mayor Jerrold Welden presiding over the meeting. Council Members Jody Anderson, Kurt Knudson, Mark Messa and Bruce Thies were present. Council Member David Hampe arrived after the meeting was called to order. Also present was Brian Weuve, City Manager.

**ACCEPTANCE OF THE AGENDA**

Anderson moved and Knudson seconded to approve the agenda as written with item #22 being discussed after the Consent Agenda.

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

Council Member Hampe arrived at this point in the meeting.

**APPROVAL OF MINUTES**

Messa moved and Thies seconded to approve the minutes of the Regular Meeting of June 20, 2011.

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

**APPROVAL OF MONTHLY CLAIMS**

Knudson moved and Anderson seconded to approve the monthly claims.

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

**CONSENT AGENDA**

Messa moved and Hampe seconded to approve the following items:

1. **Liquor License**
  - a. Class C Beer Permit for Rock C Store.
  - b. Class C Beer Permit for Casey's General Store #1793.
  - c. Special Class C Liquor License (Beer/Wine) for Chuong Garden.
  
2. **Depository Resolution and Investment Policy**

Resolution No. 2011-31 naming Depositories and approving the recommendation of staff making no changes in the Investment Policy.

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

22. **Oak Street Bridge Lighting**

Anderson moved and Thies seconded to approve the bridge lighting for the Oak Street Bridge using TIF funds and for Washington Avenue using previously allocated Hotel/Motel funds.

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

**OLD BUSINESS**

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

a. Messa moved and Thies seconded to approve on third and final reading Ordinance No. 1007 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: Messa, Thies, Knudson and Anderson voting aye.

b. Thies moved and Anderson seconded to approve Resolution No. 2011-32 tentatively approving lease of City property consisting of a portion of vacated Main Street described as follows, to-wit: 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, Anderson, Messa, Hampe and Knudson voting aye.

**NEW BUSINESS**

4. **Separation Agreement**

Anderson moved and Messa seconded to approve the separation agreement between the City and the City Manager for a period of 72 hours.

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

5. **Annual Appointments**

a. Messa moved and Knudson seconded to approve the appointment of Jon Kies as City Clerk for a one year term to end the third Monday of July 2012.

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

b. Hampe moved and Thies seconded to approve the appointment of Jolene Liekweg as Deputy City Clerk for a one year term to end the third Monday of July 2012.

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

c. Knudson moved and Anderson seconded to approve the appointment of Jon Kies as City Treasurer for a one year term to end the third Monday of July 2012.  
Roll Vote: Knudson, Anderson, Messa, Hampe and Thies voting aye.

d. Messa moved and Anderson seconded to approve the appointment of Brian Weuve as City Manager for a one year term to end the third Monday of July 2012.  
Roll Vote: Messa and Anderson voting aye, Knudson, Thies and Hampe voting no.

e. Anderson moved and Messa seconded to approve the Mayor's appointment of Ron Kuhfus as Police Chief for a one year term to end the third Monday of July 2012.  
Roll Vote: Anderson, Messa, Hampe, Thies and Knudson voting aye.

f. Anderson moved and Knudson seconded to approve the appointment of Clark McNeal and the firm of Barker, McNeal, Wiese and Holt as City Attorney for a one year term to end the third Monday of July 2012.  
Roll Vote: Anderson, Knudson, Thies, Hampe and Knudson voting aye.

g. Messa moved and Knudson seconded to approve the appointment of Rick Gustin as Fire Chief for a one year term to end the third Monday of July 2012.  
Roll Vote: Messa, Knudson, Thies, Hampe and Anderson voting aye.

#### 6. **Ellis Avenue Project**

a. Anderson moved and Messa seconded to approve Resolution No. 2011-33 a Proposed Resolution of Necessity, Set Public Hearing for said Resolution of Necessity for August 15, 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: Anderson, Messa, Hampe, Thies and Knudson voting aye.

b. Anderson moved and Knudson seconded to set the bid date for August 2, 2011 at 1:00 p.m. and set the public hearing date for August 15, 2011 at the 6:30 p.m. City Council for the proposed Ellis Avenue Street & Utility Reconstruction Project.  
Roll Vote: Anderson, Knudson, Thies, Hampe and Messa voting aye.

c. Messa moved and Knudson seconded to approve Resolution No. 2011-34 fixing date for a meeting on the authorization of a Loan Agreement and the issuance of not to exceed \$800,000 General Obligation Capital Loan Notes, Series 2011, of the City of Iowa Falls, State of Iowa, and providing for publication of notice thereof.  
Roll Vote: Messa, Knudson, Thies, Hampe and Anderson voting aye.

#### 7. **South Interceptor Sewer**

a. Messa moved and Thies seconded to approve Pay Request No. 5 in the amount of \$4,165.75 for Keller Excavating.  
Roll Vote: Messa, Thies, Hampe, Knudson and Anderson voting aye.

b. Knudson moved and Anderson seconded to approve Change Order No. 4 in the amount of a \$9,900 deduct.

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

c. The Council reviewed Engineer's Statement of Completion.

d. Messa moved and Anderson seconded to approve Resolution No. 2011-35 of Acceptance of Public Improvements with the addition of \$9,900 to be deducted from the final payment.

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

8. **727 Bliss**

Dave Thompson was present in regard to the letter he received about the removal of the structure at 727 Bliss. He was directed to go through the Property Maintenance Board of Appeals.

9. **Request to Purchase Property**

Larry and Lois Neely owners of Competition Chemicals discussed with the Council their desire to purchase city owned property located directly south of their existing building at 715 Railroad.

Anderson moved and Thies seconded to tentatively approve the offer of \$20,000 from Larry and Lois Neely to purchase the property directly south of their building at 715 Railroad, approximately 100' x 100'.

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

10. **Sidewalk Snow Removal**

The Council considered the request from Andrew Page in regard to bills for sidewalk snow removal at 1004 College Avenue.

Knudson moved and Thies seconded to leave the assessment as is.

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

11. **CDBG Housing Program**

a. Anderson moved and Knudson seconded to reaffirm the Mayor's approval of a contract addendum for 924 Woodland.

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

b. Messa moved and Hampe seconded to approve Resolution No. 2011-36 to approve the City of Iowa Falls Community Development Block Grant Owner Occupied Housing Rehabilitation Contract for 1013 2nd Avenue North.

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

c. Knudson moved and Anderson seconded to approve Resolution No. 2011-37 to approve the City of Iowa Falls Community Development Block Grant Owner Occupied Housing Rehabilitation Contract for 904 Woodland.

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

12. **Panther Pride Triathlon**

a. Anderson moved and Hampe seconded to approve Resolution No. 2011-38 closing Pine Street from River Road to River Street and Cedar Street from Pine Street to Elm Street on Saturday, August 20, 2011 from 6:00 a.m. until 4:00 p.m.

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

b. Messa moved and Thies seconded to approve the request from Ellsworth Community College for the route for the Panther Pride Triathlon on August 20, 2011.

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

13. **Union Contract with the Police Department**

Messa moved and Thies seconded to ratify the Agreement between the City of Iowa Falls, Iowa and the Iowa Falls Police Department Collective Bargaining Unit No. 1.

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

14. **Street Department Purchases**

a. Anderson moved and Messa seconded to approve the purchase of a tractor and mower from Van-Wall in the amount of \$78,923.

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

b. Anderson moved and Knudson seconded to approve the purchase of a boiler and repairs to the existing boiler in the amount of \$8,407.

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

15. **Ellsworth Municipal Hospital Project**

a. Anderson moved and Knudson seconded to approve the services of Ahlers & Cooney, P.C. for the Ellsworth Municipal Hospital building project.

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

b. Anderson moved and Hampe seconded to direct the City Clerk to contact the law firm of Meardon, Sueppel and Downer to see if they would be interested in conducting the work that Ahlers & Cooney has a conflict with.

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

16. **Urban Renewal Plan**

a. Anderson moved and Knudson seconded to approve Resolution No. 2011-39 setting dates of a consultation and a public hearing on a proposed Amendment No. 10 to the

Iowa Falls Urban Renewal Plan in the City of Iowa Falls, State of Iowa, with the consultation being held in the City Manager's office.

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

b. The City Clerk was directed to mail the notice of consultation to all affected taxing entities, along with a copy of the proposed Amendment, publish the notice setting the date for the public hearing, place the Amendment on file for public inspection, and refer the proposed Amendment to the Planning and Zoning Commission for its review and recommendation.

c. Knudson moved and Hampe seconded to approve the Urban Renewal Agreement by and between Hardin County and the City of Iowa Falls.

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

17. **Hotel / Motel Application**

Thies moved and Anderson seconded to approve the Hotel/Motel Tax Funding Advisory Board's recommendation to fund the request from Iowa Falls Area Development Corporation in the amount of up to \$2,600 for computer upgrades.

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

18. **Voting Precincts**

Messa moved and Knudson seconded to approve the current boundaries for voting precincts.

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

19. **Delinquent Utility Accounts**

Anderson moved and Hampe seconded to approve Resolution No. 2011-40 to delegate a designee the City Utility's Authority to certify unpaid rates or charges to the County Treasurer.

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

20. **Employee Salaries**

Knudson moved and Messa seconded to override the Mayor's veto of Resolution No. 2011-30 approving the 2011-2012 salaries.

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

21. **Boards and Commission Appointments**

Anderson moved and Hampe seconded to approve the Mayor's appointment of Ron Allen and Craig Zabel to the Board of Adjustment for five year terms to expire May of 2016; Ruth Palcic and Bill Phelps to the Tree Board for three year terms to expire July of 2014; and Barb Greiner to the Library Board for a four year term to expire July of 2015.

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

**ADJOURNMENT**

The Mayor declared the meeting adjourned at 8:55 p.m.

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Jerrold Welden, Mayor

Attest:

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Jon Kies, City Clerk