

**CITY OF IOWA FALLS
REGULAR MEETING
SEPTEMBER 21, 2009**

The Mayor and City Council of the City of Iowa Falls met in regular session on Monday, September 21, 2009 with Mayor Jerrold Welden presiding over the meeting. Council Members John Allan, David Gritsch, Mark Messa and Bruce Thies were present. Council Member Jody Anderson arrived after the meeting was called to order. Also present was Brian Weuve, City Manager.

ACCEPTANCE OF THE AGENDA

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

Council Member Anderson arrived at this point in the meeting.

APPROVAL OF MINUTES

Messa moved and Allan seconded to approve the minutes of the regular meeting of August 17, 2009 and the special meeting of August 31, 2009.
Vote: Messa, Allan, Thies, Gritsch and Anderson voting aye.

APPROVAL OF MONTHLY CLAIMS

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

OLD BUSINESS

1. **Citizen Request**

The City Attorney was directed to prepare proceedings that would vacate the portion of the alley and then that portion would be lease allowing Dan and Nikki Lewis to place two gates on the alley.

2. **Water Tower Maintenance Program**

Messa moved and Anderson seconded to approve the water tower maintenance contract for the Industrial Park Water Tower.
Roll Vote: Messa, Anderson, Gritsch, Thies and Allan voting aye.

3. **Country Club Road**

a. Mayor Welden opened the public hearing on the plans, specifications, form of contract and estimated cost of public improvements. There was no public comment. Mayor Welden closed the public hearing.

b. Allan moved and Messa seconded to approve Resolution No. 2009-34 approving plans, specifications, form of agreement and estimated cost of public improvements.

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

c. City Engineer Les Wolfe reviewed the bids received and his recommendation.

d. Anderson moved and Thies seconded to award the project to Con-Struct Inc. of Ames, Iowa, in the amount of \$429,712.30 for substantial completion by November 25, 2009, issuance of Notice of Award, and issuance of Notice to Proceed upon receipt of executed Agreement, Bond, and Certificate of Insurance meeting the requirements of the Bid Documents.

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

4. **Elk Run Water Treatment Plant**

a. Mayor Welden opened the public hearing on the plans, specifications, form of contract and estimated cost of public improvements. There was no public comment. Mayor Welden closed the public hearing.

b. Anderson moved and Allan seconded to approve Resolution No. 2009-35 approving plans, specifications, form of agreement and estimated cost of public improvements.

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

c. City Engineer Les Wolfe reviewed the bids received and his recommendation.

d. Messa moved and Allan seconded to award the project to Henkel Construction Co., of Mason City, Iowa, in the amount of \$593,600.00, issuance of Notice of Award, and issuance of Notice to Proceed upon receipt of executed Agreement, Bond, and Certificate of Insurance meeting the requirements of the Bid Documents.

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

5. **River Interceptor Siphon Sewer Replacement**

a. Mayor Welden opened the public hearing on the plans, specifications, form of contract and estimate cost of public improvements. There was no public comment. Mayor Welden closed the public hearing.

b. Allan moved and Anderson seconded to approve Resolution No. 2009-36 approving plans, specifications, form of agreement and estimated cost of public improvements.

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

c. City Engineer Les Wolfe reviewed the bids received and his recommendation.

d. Anderson moved and Allan seconded to award the project to Minger Construction, Inc., of Chanhassen, Minnesota, in the amount of \$1,378,735.00, issuance of Notice of Award, and issuance of Notice to Proceed upon receipt of executed Agreement, Bond, and Certificate of Insurance meeting the requirements of the Bid Documents.

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

e. A notice will be issued to the public regarding lowering the river water level on October 19, 2009 and refilling on or about April 1, 2010.

6. **Infiltration / Inflow Reduction Program**

Anderson moved and Messa seconded to approve the Infiltration / Inflow Reduction Program and authorize submittal to Iowa Department of Natural Resources.

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

7. **Truck Route**

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 adding streets to commercial vehicle routes established.

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

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

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

c. Allan moved and Thies seconded to approve on third and final reading Ordinance No. 964 amending the Code of Ordinances of the City of Iowa Falls, Iowa, by adding streets to commercial vehicle routes established.

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

8. **Speed Limits**

a. 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 adding special speed restriction sections.

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

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

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

c. Messa moved and Gritsch seconded to approve on third and final reading Ordinance No. 965 amending the Code of Ordinances of the City of Iowa Falls, Iowa, by adding special speed restriction sections.

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

9. **Official Zoning Map**

a. Anderson moved and Thies seconded to approve on second reading an Ordinance adopting the official zoning map of the City of Iowa Falls, Iowa.

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

b. The suspension of the rules and placing on third and final reading died for the lack of a motion.

NEW BUSINESS

10. **Alliant Energy**

The representative from Alliant Energy was not present to give his presentation.

11. **Trails Project**

Anderson moved and Allan seconded to approve Resolution No. 2009-37 to approve the Iowa Falls Safe Routes to School (SRTS) Grant Application with the addition that the city will agree to maintain the trail for twenty years.

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

12. **Water Revenue and Sewer Revenue Capital Loan Notes**

a. Messa moved and Allan seconded to approve Resolution No. 2009-38 fixing date for a meeting on the proposition to authorize a Loan Agreement and the issuance of Notes to evidence the obligations of the City thereunder (not to exceed \$1,500,000 Water Revenue Capital Loan Notes).

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

b. Anderson moved and Allan seconded to approve Resolution No. 2009-39 fixing date for a meeting on the proposition to authorize a Loan Agreement and the issuance of Notes to evidence the obligations of the City thereunder (not to exceed \$4,200,000 Sewer Revenue Capital Loan Notes).

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

c. Anderson moved and Allan seconded to approve Resolution No. 2009-40 authorizing and approving the Official Statement for the not exceed \$1,500,000 Water Revenue Capital Loan, Series 2009, and the not to exceed \$4,200,000 Sewer Revenue Capital Loan Notes, Series 2009.

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

13. **Fire Training Donation Agreement**

Anderson moved and Thies seconded to approve the Fire Training Donation Agreement with the following additions – subject to Iowa Department of Natural Resources approval, \$3,500 charge to conduct the burn, an agreement that the City shall have no liability for clean up after the burn and the City Manager and Fire Chief need to sign off on the agreement.

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

14. **Halloween Trick or Treat**

Allan moved and Thies seconded to set Halloween Trick or Treat for Saturday, October 31, 2009 from 5:30 until 7:30 p.m.

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

15. **Oak Street Bridge Project**

Thies moved and Allan seconded to approve Resolution No. 2009-41 tentatively approving the sale of property and setting date, time and place for a public hearing on the sale of property for the October 19, 2009 City Council meeting.

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

16. **2009 Legislative Changes**

a. Allan moved and Anderson 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 the standard penalty.

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

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

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

c. Allan moved and Messa 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 parking violations: alternate.

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

d. Allan moved and Thies 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 abandoned vehicles.

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

e. Anderson moved and Allan 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 utility service.

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

f. Messa moved and Anderson 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 the definition of "lodging" in the Hotel/Motel Tax Chapter.

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

17. **No Parking Ordinance**

Messa moved and Allan 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.

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

18. **Appointments**

Anderson moved and Thies seconded to approve the following appointments: Jean O'Malia to the Board of Adjustment for a term expiring May 2013, Maureen Allan to the Historic Preservation Commission for a term expiring January 2010, and Lori Hadwiger to the Tree Board for a term expiring July 2012.

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

19. **Closed Session**

Anderson moved and Allan seconded to go into closed session pursuant to Iowa Code Chapter 21.5.j.

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

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

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

ADJOURNMENT

Gritsch moved and Allan seconded to adjourn.

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

The meeting adjourned at approximately 9:00 p.m.

Jerrold Welden, Mayor

Attest:

Jon Kies, City Clerk