

**CITY OF IOWA FALLS  
REGULAR MEETING  
AUGUST 19, 2024**

The City council of the City of Iowa Falls met in regular session on Monday, August 19, 2024 at 6:30 p.m. with mayor Pro-tem Roger Nissly presiding over the meeting. Council members Micah Cutler, Dave Henry, Steve Klein and Bruce Thies were present. Also present was City Manager Kaci Elkin. Mayor Michael Emerson was present via zoom.

**ACCEPTANCE OF THE AGENDA**

Klein moved and Thies seconded to accept the agenda, amending item No. 15, the item was moved to the September regular council meeting.

Roll vote: Klein, Thies, Cutler, Nissly, and Henry voting aye.

**APPROVAL OF MINUTES**

Thies moved and Klein seconded to accept the minutes of the Regular Meeting of July 15, 2024 and Special meeting of August 8, 2024.

Roll vote: Thies, Klein, Cutler, Nissly and Henry voting aye.

**APPROVAL OF MONTHLY CLAIMS AND FINANCIALS**

Cutler moved and Klein seconded to approve the monthly claims and financials.

Roll vote: Cutler, Klein, Thies, Nissly and Henry voting aye.

**CONSENT AGENDA**

Klein moved and Cutler seconded to approve the following items:

1. **Liquor Licenses**
  - a. Liquor License request from R & T Enterprises, Inc.
  - b. Class E Retail Alcohol License for Casey's General Store #1793.
  - c. Special Class C Liquor License Beer and wine for Chuong Garden.
  - d. Class C Liquor License for The 502 Grill House.
  - e. Class E Liquor License for Fareway.
  - f. Class B Retail Alcohol License for Kwik Star.

Roll vote: Klein, Cutler, Thies, Nissly and Henry voting aye.

**OLD BUSINESS**

2. **Palisades East – Grading and Public Improvements**

a. Cutler moved and Thies seconded to approve the Change Order NO. 3 in the amount of a deduct of \$29,258.98.

Roll vote: Cutler, Thies, Nissly, Klein and Henry voting aye.

b. Klein moved and Nissly seconded to approve Pay Application #13 to Cole Excavating, LLC (payment of retainage after 30 days) in the amount of \$56,000.00.

Roll vote: Klein, Nissly, Thies, Cutler, and Henry voting aye.

c. Thies moved and Cutler seconded to Review the Final Completion letter and Notice of Acceptability of Work.

Roll vote: Thies, Cutler, Nissly, Klein and Henry voting aye.

d. Nissly moved and Cutler seconded to approve Resolution 2024-37 accepting work of contractor on Palisades East- Grading and Public Improvements.

Roll vote: Nissly, Cutler, Thies, Klein and Henry voting aye.

### 3. **R & T Enterprises, Inc**

Thies moved and Klein seconded to approve 2<sup>nd</sup> and 3<sup>rd</sup> benchmark payments each of \$100,000, to be held until inspected.

Roll vote: Thies, Klein, Culter, Nissly and Henry voting aye.

### 4. **Palisades Estates Plat 2**

a. Cutler moved and Nissly seconded to approve Change Order No. 1 in the amount of a deduct of \$1,168.78.

Roll vote: Cutler, Nissly, Thies, Klein and Henry voting aye.

b. Klein moved and Cutler seconded to approve Pay Application to Gehrke, Inc. in the amount of 107,731.94

Roll vote: Klein, Cutler, Thies, Nissly and Henry voting aye.

### 5. **River Road Utility and Roadway Improvements**

Klein moved and Cutler seconded to approve Change Order No. 3 (water/sewer service extensions) for an increase in contract cost of \$258,544.83 and an extension of contract times from November 17, 2023 to November 1, 2024 for Substantial Completion, and from June 7, 2024 to November 27, 2024 for Final Completion.

Roll vote: Klein, Cutler, Thies, Nissly and Henry voting aye.

6. **Goldfinch**

a. Klein moved and Thies seconded to approve the preliminary plat.

Roll vote: Klein, Thies, Cutler, Nissly and Henry voting aye.

b. Cutler moved and Nissly seconded to approve Resolution 2024-38 approving and authorizing execution of a First Amendment to the development agreement.

Roll vote: Cutler, Nissly, Thies, Klein and Henry voting aye.

7. **Voluntary Annexation**

a. Mayor Pro-tem Nissly opened the Public hearing on the voluntary annexation of property.

No public comment.

b. Cutler moved and Nissly seconded to approve the request for voluntary annexation submitted by Rosebud Farms, LLC, Goldfinch Estates, LLC, Christopher W. Weaver Living Trust and Jessica J. Weaver Living Trust.

Roll vote: Cutler, Nissly, Thies, Klein and Henry voting aye.

8. **Housing Committee**

a. Klein moved and Thies seconded to approve Resolution 2024-39 to apply for the Iowa Economic Development Authority 2025 Rural Housing Assessment Grant with a match of \$10,000 coming from 20% LOST.

Roll vote: Klein, Thies, Cutler, Nissly and Henry voting aye.

b. Cutler moved and Nissly seconded to approve Resolution 2024-40 to establish a Housing Committee to address housing needs and promote sustainable development within the city.

Roll vote: Cutler, Nissly, Thies, Klein and Henry voting aye.

9. **Urban Renewal Plan Amendment**

Nissly moved and Thies seconded to approve Resolution 2024-41 setting date of a consultation meeting for August 27<sup>th</sup> at 2:30 p.m. in the City Manager's office and a public hearing on proposed Amendment No. 16 to the Iowa Falls Urban Renewal Plan in the City of Iowa Falls, State of Iowa for September 16<sup>th</sup> at the Regular Council Meeting.

Roll vote: Nissly, Thies, Cutler, Klein and Henry voting aye.

## **NEW BUSINESS**

### 10. **River Oaks Drive resurfacing**

Discuss and consider payment and resurfacing option for the private road of River Oaks Drive submitted by Dave Krogh. This item died for a lack of motion.

### 11. **City Parking Lot**

Nissly moved and Thies seconded to approve Resolution 2024-42 closing 15 parking spaces on the South side of the city parking lot and 15 parking spots along Railroad on the North side of the street all day for Model A Car Club on September 19<sup>th</sup>, 2024.

Roll vote: Nissly, Thies, Cutler, Klein and Henry voting aye.

### 12. **Mow notice**

Discuss and consider mow notice at 316 Prospect. No action was taken.

### 13. **Handicap Parking space**

Cutler moved and Klein seconded to approve Resolution 2024-43 to relocate the handicap parking space in front of 313 Stevens Street to 314 Stevens Street.

Roll vote: Cutler, Klein, Thies, Nissly and Henry voting aye.

### 14. **Iowa Falls Municipal Airport Rehabilitate Taxiway A Project**

Klein moved and Nissly seconded to approve the contract with Wicks Construction, Inc. in the amount of \$370,429.30. This is a 90/10 grant with the City's portion coming from 80% LOST.

Roll vote: Klein, Nissly, Thies, Cutler and Henry voting aye.

### 15. **Railroad St- water issues**

Discuss and consider water issues at 615 Railroad. This item was tabled until the Regular council meeting set for September 16, 2024.

### 16. **Pine Street Well #2**

Nissly moved and Cutler seconded to approve repairing the Pine Street Well #2 in the amount of \$46,037.49 coming from FY24-FY25 CIP Water Cash.

Roll vote: Nissly, Cutler, Thies, Klein and Henry voting aye.

17. **Princess Upper Story Restoration**

Klein moved and Thies seconded to approve the contract for architectural services with Stickley Morton Architects.

Roll vote: Klein, Thies, Cutler, Nissly and Henry voting aye.

18. **East side sewer back-up claim**

City council directed city staff to reach out to the City's insurance adjuster to have an on-site visit scheduled regarding the East side sewer back up claims as requested by Corey Whitney.

19. **Parks Department funding**

a. Nissly moved and Thies seconded to approve the purchase of a truck sander in the amount of \$7,200, and the difference of \$200 coming from 80% LOST.

Roll vote: Nissly, Thies, Cutler, Klein and Henry voting aye.

b. Cutler moved and Klein seconded to approve reallocating funds to use for a truck plow in the amount of \$9,800 with funds coming from CIP approved equipment from 80% LOST.

Roll vote: Cutler, Klein, Thies, Nissly and Henry voting aye.

20. **Municipal Infraction Citation**

Klein moved and Nissly seconded to approve the Municipal Infraction Citation as presented.

Roll vote: Klein, Nissly, Thies, Cutler and Henry voting aye.

21. **Appointments**

a. Thies moved and Klein seconded to approve the reappointment of Audrey Baldwin to the Property Maintenance Code- board of appeals for a term to expire September 2028.

Roll vote: Thies, Klein, Cutler, Nissly and Henry voting aye.

b. Klein moved and Thies seconded to approve the appointment of Kaci Elkin as City Manager for a one-year term to end the third Monday of July 2025.

Roll vote: Klein, Thies, Cutler, Nissly and Henry voting aye.

c. Thies moved and Nissly seconded to approve the appointment of Amanda Ubben as City Clerk for a one-year term to end the third Monday of July 2025.

Roll vote: Thies, Nissly, Cutler, Klein and Henry voting aye.

d. Cutler moved and Thies seconded to approve the appointment of Ted Vosburg to the Airport Authority for terms to expire July of 2028.

Roll vote: Cutler, Thies, Nissly, Klein and Henry voting aye.

**PUBLIC COMMENT**

22. **Closed Session**

Klein moved and Nissly seconded to go into closed session as allowed in Iowa Code Section 21.5.1.c to discuss pending litigation, and Iowa Code Section 21.5.1.j to discuss land acquisition and disposal.

Roll vote: Klein, Nissly, Thies, Cutler and Henry voting aye.

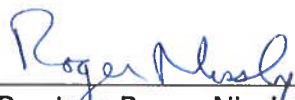
**PUBLIC COMMENT**

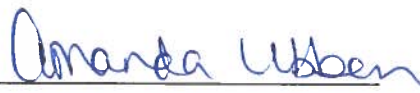
**ADJOURNMENT**

Thies moved and Nissly seconded to adjourn.

Roll vote: Thies, Nissly, Cutler, Klein and Henry voting aye.

Meeting adjourned at 8:31 p.m.

  
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Mayor Pro-tem Roger Nissly

  
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Amanda Ubben, City Clerk