

**CITY OF IOWA FALLS
REGULAR MEETING
JULY 19, 2021**

The Mayor and City Council of the City of Iowa Falls met in regular session on Monday, July 19, 2021 with Mayor Gene Newgaard presiding over the meeting. Council Members Michelle Gritsch, Steve Klein, Roger Nissly, Bruce Thies and Rob Wohlert were present. Also, present was City Manager Jody Anderson.

ACCEPTANCE OF THE AGENDA

Klein moved and Thies seconded to accept the agenda as written.
Vote: Klein, Thies, Wohlert, Nissly and Gritsch voting aye.

APPROVAL OF MINUTES

Thies moved and Wohlert seconded to approve the minutes of the regular meeting of June 21, 2021, the special meetings of June 28, 2021, and the special meeting of July 6, 2021.
Vote: Thies, Wohlert, Nissly, Klein and Gritsch voting aye.

APPROVAL OF MONTHLY CLAIMS AND FINANCIALS

Wohlert moved and Gritsch seconded to approve the monthly claims and financials.
Roll Vote: Wohlert, Gritsch, Klein, Nissly and Thies voting aye.

CONSENT AGENDA

Wohlert moved and Gritsch seconded to accept the agenda as written.

1. **Liquor Licenses**

- a. Class E Liquor License for Casey's at 1801 Washington Avenue.
- b. Class B Beer Permit for Timbukbru.

2. **Noise Ordinance Variance**

Noise ordinance variance for The 503 and The River Tap on July 27, 2021, from 5:00 p.m. until 12:30 a.m. on July 28, 2021, for live music.

Roll Vote: Wohlert, Gritsch, Klein, Nissly and Thies voting aye.

OLD BUSINESS

3. City Property Purchase

The sale of a portion of 1714 River Street to Mrlyn and Kathy Bartling was deferred until a legal description can be obtained.

4. CDBG Housing Rehab Project

a. Mayor Newgaard opened the public hearing on the application for a \$210,000 Iowa Economic Development Authority Housing Sustainability application to improve 6 city wide qualified owner occupied housing units. City Manager Anderson reported on the seven previous grants the City has received for a total of \$1.5 million with 50 homes being rehabilitated. Julie Winter with Region 6 Planning Commission reviewed the \$210,000 CDBG Housing Rehabilitation application for improving at least six owner occupied homes across the city. There was no further comments. Mayor Newgaard closed the public hearing.

b. Gritsch moved and Klein seconded to approve Resolution No. 2021-26 to approve the Iowa Falls Housing Rehabilitation application to the Iowa Economic Development Authority CDBG Housing Sustainability Fund.

Roll Vote: Gritsch, Klein, Nissly, Wohlert and Thies voting aye.

c. Thies moved and Wohlert seconded to approve Resolution No. 2021-27 to approve the City of Iowa Falls CDBG Exterior Rehabilitation Program Administrative Plan.

Roll Vote: Thies, Wohlert, Nissly, Klein and Gritsch voting aye.

5. Iowa Falls Water/Sewer Force Main Improvements

a. Mayor Newgaard opened the public hearing on the proposed Bidding Requirements, Contract Documents and Estimate of Cost for the Iowa Falls Force Main Improvements. There were no oral or written comments. Mayor Newgaard closed the public hearing.

b. Klein moved and Gritsch seconded to approve Resolution No. 2021-28 approving Plans, Specifications, Form of Agreement and Opinion of Cost for Public Improvements.

Roll Vote: Klein, Gritsch, Thies, Wohlert and Nissly voting aye.

c. Mitch Holtz, FOX Engineering, reviewed the bid tab and his recommendation of award. Holtz discussed with the Council staff doing a few of the minor things to reduce the bid price by \$40,000.

d. Wohlert moved and Gritsch seconded to approve Resolution No. 2021-29 awarding the Contract for Public Improvements, authorizing execution of the Contract and authorizing execution of Notice of Award to Vieth Construction of Cedar Falls, Iowa in the amount of \$1,114,020.00 with the funding coming from water and wastewater funds.

Roll Vote: Wohlert, Gritsch, Klein, Thies and Nissly voting aye.

6. **Cottrell Avenue CIPP Lining Improvements**

a. Mayor Newgaard opened the public hearing on the proposed Bidding Requirements, Contract Documents and Estimate of Cost of the Cottrell Avenue CIPP Lining Improvements. There was no oral or written comment. Mayor Newgaard closed the public hearing.

b. Klein moved and Gritsch seconded to approve Resolution No. 2021-30 approving Plans, Specifications, Form of Agreement and Opinion of Cost for Public Improvements.
Roll Vote: Klein, Gritsch, Thies, Wohlert and Nissly voting aye.

c. Mitch Holtz, FOX Engineering, reviewed the bid tab and his recommendation of award.

d. Thies moved and Klein seconded to approve Resolution No. 2021-31 awarding the Contract for Public Improvements, authorizing execution of the Contract and authorizing execution of Notice of Award to Municipal Pipe Tool Company of Hudson, Iowa in the amount of \$183,475.00 with the funds coming from water and wastewater funds.

Roll Vote: Thies, Klein, Gritsch, Nissly and Wohlert voting aye.

7. **2200 Block Alley Sewer Improvements**

a. Mayor Newgaard opened the public hearing on the proposed Bidding Requirements, Contract Documents and Estimate of Cost for the 2200 Block Alley Sewer Improvements. There were no oral or written comments. Mayor Newgaard closed the public hearing.

b. Klein moved and Wohlert seconded to approve Resolution No. 2021-32 approving Plans, Specifications, Form of Agreement and Opinion of Cost for Public Improvements.

Roll Vote: Klein, Wohlert, Thies, Nissly and Gritsch voting aye.

c. Mitch Holtz, FOX Engineering, reviewed the bid tab and his recommendation of award.

d. Wohlert moved and Gritsch seconded to approve Resolution No. 2021-33 awarding the Contract for Public Improvements, authorizing execution of the Contract and authorizing execution of Notice of Award to Williams Underground Services of Ackley, Iowa, in the amount of 122,435.00 with the funds coming from water and wastewater funds.

Roll Vote: Wohlert, Gritsch, Klein, Nissly and Thies voting aye.

8. **City Wells**

a. Wohlert 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 the section name and adding a new section setting provisions pertaining to separation distances from wells.

Roll Vote: Wohlert, Thies, Nissly, Klein and Gritsch voting aye.

b. Thies moved and Wohlert seconded to suspend the rules and place on third and final reading.

Roll Vote: Thies, Wohlert, Nissly, Klein and Gritsch voting aye.

c. Gritsch moved and Thies seconded to approve on third and final reading Ordinance No. 1150 amending the Code of Ordinances of the City of Iowa Falls, Iowa, by amending the section name and adding a new section setting provisions pertaining to separation distances from wells.

Randy Jennings objected to the Council suspending the rules and approving the Ordinance on final reading.

Roll Vote: Gritsch, Thies, Wohlert, Nissly and Klein voting aye.

9. **CIP Purchase**

Thies moved and Wohlert seconded to approve the purchase of a compact tractor for the Parks & Recreation Department from Van-Wall Equipment, Inc. in the amount of \$27,000.

Roll Vote: Thies, Wohlert, Nissly, Klein and Gritsch voting aye.

10. **Development Agreement**

a. Mayor Newgaard opened the public hearing on the proposal to enter into a Development Agreement with Nimrod Meats, LLC and Damiano Holdings, LLC. There were no oral or written comments in regard to the Development Agreement.

Randy Jennings asked if the rezoning done in June could have been done by a special use permit instead of rezoning the property. Joedy Dennis, Director of Building & Zoning explained the process that was followed.

Mayor Newgaard closed the public hearing.

b. Wohlert moved and Thies seconded to approve Resolution No. 2021-34 approving and authorizing execution of a Development Agreement by and among the City of Iowa Falls, Nimrod Meats, LLC, and Damiano Holdings, LLC.

Roll Vote: Wohlert, Thies, Nissly, Klein and Gritsch voting aye.

11. **Airport Projects**

a. Thies moved and Klein seconded to approve Pay Request in the amount of \$1,033,440.61 to Godbersen-Smith Construction Co. for the Construct Parallel Taxiway B Project.

Roll Vote: Thies, Klein, Gritsch, Wohlert and Nissly voting aye.

b. Klein moved and Wohlert seconded to approve payment to McClure Engineering in the amount of \$34,087.43 for the Construct Parallel Taxiway B Project.

Roll Vote: Klein, Wohlert, Thies, Nissly and Gritsch voting aye.

c. Gritsch moved and Wohlert seconded approve Pay Request in the amount of \$238,849.33 to Godbersen-Smith Construction Co. for the Rehabilitate Runway 13/31.

Roll Vote: Gritsch, Wohlert, Thies, Klein and Nissly voting aye.

d. Thies moved and Gritsch seconded to approve payment to McClure Engineering in the amount of \$26,981.39 for the Rehabilitate Runway 13/31.

Roll Vote: Thies, Gritsch, Klein, Nissly and Wohlert voting aye.

12. **RAGBRAI**

a. Thies moved and Wohlert seconded to approve Resolution No. 2021-35 closing Main Street from Washington south to the alley on Tuesday, July 27, 2021.

Roll Vote: Thies, Wohlert, Nissly, Klein and Gritsch voting aye.

b. Wohlert moved and Gritsch seconded to approve a Class B Beer Permit for the RAGBRAI event in Estes Park.

Roll Vote: Wohlert, Gritsch, Klein, Nissly and Thies voting aye.

13. **South Drainage Project**

The agreement with Wayne and Lisa Dewey was deferred.

NEW BUSINESS

14. **City Limits Deer Bow Hunting**

The request from Todd Fischer, K-Van Construction Company to include their property in the deer bow hunting area died for lack of a motion.

15. **Street Closure**

Thies moved and Wohlert seconded to approve Resolution No. 2021-36 closing the parking on the Estes side of the Open Bible Church on July 27, 2021, for a fund raiser for Wiggles & Giggles Daycare.

Roll Vote: Thies, Wohlert, Nissly, Klein and Gritsch voting aye.

16. **Blight Remediation Grant Program**

Klein moved and Gritsch seconded to approve Resolution No. 2021-37 adopting the Iowa Falls Economic Development/Blight Remediation Grant Program with the funds coming from 20% LOST.

Roll Vote: Klein, Gritsch, Thies, Wohlert and Nissly voting aye.

17. **Development Agreement – R & T Enterprises**

Klein moved and Wohlert seconded to approve Resolution No. 2021-38 fixing date for a public hearing on the proposal to enter into a Development Agreement with R & T Enterprises, Inc. and providing for publication of notice thereof.

Roll Vote: Klein, Wohlert, Thies, Nissly and Gritsch voting aye.

18. **Hotel/Motel Tax Applications**

a. Klein moved and Wohlert seconded to approve the Hotel/Motel Board's recommendation for a \$15,000 grant to the Iowa Falls Chamber/Main Street Business Improvement Committee and Design Committee for Project Facelift with the funds coming Economic Development Funds.

Roll Vote: Klein, Wohlert, Thies, Nissly and Gritsch voting aye.

b. Thies moved and Wohlert seconded to approve the Hotel/Motel Board's recommendation for a \$19,000 grant to the Iowa Falls Scenic City Civic Foundation for the Community Electronic Sign with the funds coming from Tourism Funds.

Roll Vote: Thies, Wohlert, Nissly, Klein and Gritsch voting aye.

19. **Appointments**

a. Thies moved and Wohlert seconded to appoint Jody Anderson as City Manager for a one-year term to end the third Monday of July 2022.

Roll Vote: Thies, Wohlert, Nissly, Klein and Gritsch voting aye.

b. Klein moved and Gritsch seconded to appoint Kaci Elkin as City Clerk for a one-year term to end the third Monday of July 2022.

Roll Vote: Klein, Gritsch, Thies, Wohlert and Nissly voting aye.

c. Wohlert moved and Thies seconded to approve the Mayor's appointment of Kaci Elkin as City Treasurer for a one-year term to end the third Monday of July 2022.

Roll Vote: Wohlert, Thies, Nissly, Klein and Gritsch voting aye.

d. Thies moved and Gritsch seconded to appoint Jolene Liekweg as Deputy City Clerk for a one-year term to end the third Monday of July 2022.

Roll Vote: Thies, Gritsch, Klein, Nissly and Wohlert voting aye.

e. Klein moved and Wohlert seconded to approve the Mayor's appointment of Wade Harken as Police Chief for a one-year term to end the third Monday of July 2022
Roll Vote: Klein, Wohlert, Thies, Nissly and Gritsch voting aye.

f. Wohlert moved and Thies seconded to appoint Scott Eisentrager as Fire Chief for a one-year term to end the third Monday of July 2022.
Roll Vote: Wohlert, Thies, Nissly, Klein and Gritsch voting aye.

g. Wohlert moved and Klein seconded to appoint Kali Adams as City Attorney for a one-year term to end the third Monday of July 2022.
Roll Vote: Wohlert, Klein, Gritsch, Thies and Nissly voting aye.

20. **Closed Session**

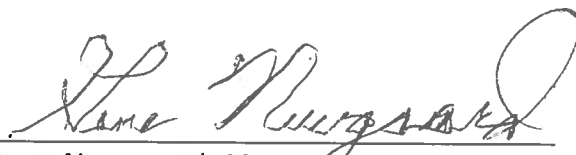
Wohlert moved and Thies seconded to go into closed session as allowed in Iowa Code Section 21.5.1.j to discuss land acquisition and disposal and Iowa Code Section 21.5.1.c to discuss possible litigation.
Roll Vote: Wohlert, Thies, Nissly, Klein and Gritsch voting aye.

Council Member Nissly left the meeting during the closed session.

Klein moved and Gritsch seconded to go back into closed session having taken no action in closed session.

ADJOURNMENT

Wohlert moved and Thies seconded to adjourn.
Vote: Wohlert, Thies, Klein and Gritsch voting aye. The meeting adjourned at 9:13 p.m.


Gene Newgaard, Mayor


Kaci Elkin, City Clerk