

**CITY OF IOWA FALLS
REGULAR MEETING
JANUARY 16, 2023**

The Mayor and City Council met in regular session on Monday, January 16, 2023 with Mayor Michael R. Emerson presiding over the meeting. Council Members Micah Cutler, Michelle Gritsch, Steve Klein, Roger Nissly and Bruce Thies were present. Also present was City Manager Jody Anderson.

ACCEPTANCE OF THE AGENDA

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

APPROVAL OF MINUTES

Nissly moved and Cutler seconded to approve the minutes of the regular meeting of December 19, 2022.
Vote: Nissly, Cutler, Thies, Klein and Gritsch voting aye.

APPROVAL OF MONTHLY CLAIMS AND FINANCIALS

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

CONSENT AGENDA

Klein moved and Thies seconded to approve the following items:

1. **Liquor Licenses**
 - a. Class E Liquor License for Hy-Vee.
 - b. Class E Liquor License for Casey's at 904 Washington Avenue.
 - c. Class C Liquor License for Red's Smokehouse.
 - d. Class C Liquor License for Timbukbru.

2. **CDBG-CV Program**

Payment to Wiggles and Giggles in the amount of \$5,278.18.

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

OLD BUSINESS

7. **Heritage Estates**

- a. Mayor Emerson opened the public hearing on the approval of a Development Agreement with Heritage Estates. Changes were discussed with Taylor Nederhoff, Attorney.

Section 1.1.k – city to reimburse for subdivision and platting, Section 3.3.a the City shall start their work by May 1, 2023 and if interest rates rise above 8.5% the construction can be paused. With no further public comment Mayor Emerson closed the public hearing.

b. Nissly moved and Klein seconded to approve Resolution No. 2023-01 approving the Development Agreement with Heritage Estates with the changes mention above.
Roll Vote: Nissly, Klein, Gritsch, Thies and Cutler voting aye.

c. Mitch Holtz with FOX Strand gave an update on the project.

3. **Water & Sewer Force Main Improvements**

Alex Weber with Vieth Construction Company discussed possible liquidated damages.

Thies moved and Cutler seconded to authorize Mitch Holtz, FOX Strand Engineers and Alex Weber, Vieth Construction Company to review the numbers make adjustments of quantities and present a dollar amount for possible payment.
Roll Vote: Thies, Cutler, Nissly, Klein and Gritsch voting aye.

4. **Palisades East Subdivision**

a. Klein moved and Cutler seconded to approve the Preliminary Plat for the Palisades East Subdivision and forward to the Planning and Zoning Commission for their consideration.
Roll Vote: Klein, Cutler, Thies, Nissly and Gritsch voting aye.

b. The bid date was set for February 27th or 28th and the public hearing date be held the first week of March.

5. **Bridge Replacement – River Road over Elk Run**

Nissly moved and Thies seconded to approve Progress Payment #6 to Boomerang Corporation in the amount of \$24,615.20.
Roll Vote: Nissly, Thies, Cutler, Klein and Gritsch voting aye.

6. **South Avenue Bridge**

Cutler moved and Gritsch seconded to approve Resolution No. 2023-02 approving the Iowa Department of Transportation Federal-aid Agreement for a City Highway Bridge Program Project for the South Avenue Bridge.
Roll Vote: Cutler, Gritsch, Klein, Nissly and Thies voting aye.

8. **Water and Sewer Rates**

a. Klein moved and Nissly 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 water user rates.
Roll Vote: Klein, Nissly, Gritsch, Cutler and Thies voting aye.

b. Cutler moved and Gritsch 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 rates for sanitary sewer service.
Roll Vote: Cutler, Gritsch, Klein, Nissly and Thies voting aye.

NEW BUSINESS

9. **Development Agreement**

Nissly moved and Klein seconded to approve Resolution No. 2023-03 setting a date for a public hearing on the approval of a Development Agreement with Goldfinch Estates II.
Roll Vote: Nissly, Klein, Gritsch, Thies and Cutler voting aye.

10. **Part Time Employee**

City Manager Anderson will hire a part time employee for mowing nuisance properties and assisting with park mowing.

11. **Emergency Catalyst Grant Pre-Application**

Gritsch moved and Nissly seconded to authorize staff to apply for the emergency catalyst grant from Iowa Economic Development Authority for the Albrights Bluff project.
Roll Vote: Gritsch, Nissly, Klein, Cutler and Thies voting aye.

12. **Sale of Property**

The Resolution approving the sale of 1003 Stevens Street was deferred.

13. **Hotel/Motel Tax Funding Applications**

Nissly moved and Klein seconded to approve applications from the following: Iowa Falls Streetscape Committee in the amount of \$7,000, with \$1,557.53 of carryover funds, for seasonal plants for seven planters from Tourism Funds; Iowa Falls Chamber/Main Street Tourism Committee in the amount of \$20,000 for Fall in Love with Iowa Falls 2023 from Tourism Funds and Iowa Falls Area Development Corporation in the amount of \$30,000 for the 2023 IFADC Marketing Plan from Economic Development Funds.
Roll Vote: Nissly, Klein, Gritsch, Thies and Cutler voting aye.

14. **FY2023-2024 Budget**

a. Cutler moved and Gritsch seconded to set date for the public hearing on the max tax levy for February 2, 2023 at 6:00 p.m.
Roll Vote: Cutler, Gritsch, Klein, Nissly and Thies voting aye.

b. Nissly moved and Klein to tentatively approve a non-union employee pay increase of 5% if it fits within the budget.
Roll Vote: Nissly, Klein, Gritsch, Thies and Cutler voting aye.

15. **Appointments**

Thies moved and Gritsch seconded to approve the appointment of Larry Johnson to the Hotel/Motel Tax Advisory Board for a term to expire February 21, 2026.
Roll Vote: Thies, Gritsch, Klein, Nissly and Cutler voting aye.

16. **Closed Session**

Nissly 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 pending litigation.

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

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

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

ADJOURNMENT

Nissly moved and Klein seconded to adjourn.
The meeting adjourned at 9:25 p.m.
Vote: Nissly, Klein, Gritsch, Cutler and Thies voting aye.



Michael R. Emerson, Mayor



Kaci Elkin, City Clerk