

**CITY OF IOWA FALLS
REGULAR MEETING
JUNE 19, 2023**

The Mayor and City Council of the City of Iowa Falls met in regular session on Monday, June 19, 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

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

APPROVAL OF MINUTES

Thies moved and Cutler seconded to approve the minutes of the Regular Meeting of May 15, 2023 and Special Meeting of June 1, 2023.
Roll Vote: Thies, Cutler, Nissly, Klein and Gritsch voting aye.

APPROVAL OF MONTHLY CLAIMS AND FINANCIALS

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

CONSENT AGENDA

Thies moved and Cutler seconded to approve the following items:

1. **Liquor License**

- a. Class B Native Wine Permit for the Copper Cupboard.
- b. Class E Liquor License for Caseys at 1223 N Oak.
- c. Class C Liquor License and Outdoor Service Area for the Elks
- d. Class C Liquor License and Outdoor Service Area for Albright's Bluff.

2. **Cigarette Permits**

Cigarette Permits for the following: Casey's General Stores at 1223 N Oak, 1801 Washington and 904 Washington; Dollar General, Fareway, Handi-Stop, Hy-Vee, Kwik Star, MC Lumber & Hardware, Oak Tobacco Inc, Rock C Liquor Wine & Tobacco and Walmart.

3. **Street Closure**

Resolution No. 2023-24 approving the closure of the block of Park Avenue that borders Oak Park on Friday, June 30th from 5:30 p.m. until 8:30 p.m. for a neighborhood block party.

4. **Noise Ordinance Variance**

Noise ordinance variance for the 503 Bar and Backyard on June 24, June 30, July 1 and July 8 until 1:00 a.m. for live entertainment in the parking lot.

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

OLD BUSINESS

5. **Goldfinch Estates II, LLC**

Cutler moved and Nissly seconded to set a public hearing on the approval of a Development Agreement with Goldfinch Estates II, LLC for the July 17, 2023 City Council meeting.

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

6. **River Road Utility and Roadway Improvements**

a. Cutler moved and Thies seconded to approve Progress Payment #8 in the amount of \$220,069.29 to Gehrke, Inc.

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

b. Klein moved and Gritsch seconded to approve Change Order No. 1 in the amount of \$26,399.

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

c. The Council discussed rock excavation.

7. **Palisades East**

a. Nissly moved and Cutler seconded to approve Progress Payment #1 in the amount of \$173,052.71 to Cole Excavating, LLC.

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

b. Cutler moved and Gritsch seconded to approve Change Order #1 in the amount of \$10,000 for tree removal.

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

8. **Iowa Falls Force Main Project**

a. Cutler moved and Klein seconded to approve Change Order #4, a deduct in the amount of \$65,149.87 for adjustment of quantities.

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

b. Nissly moved and Thies seconded to approve Progress Payment #11 in the amount of \$15,796.60 to Vieth Construction Corporation.

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

c. Klein moved and Gritsch seconded to approve the Certificate of Substantial Completion.

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

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

a. Nissly moved and Klein seconded to approve Pay Application #8 in the amount of \$41,866.70 to Boomerang Corporation.

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

b. Gritsch moved and Nissly seconded to approve additional engineering fees for FOX/Strand Engineering up to \$5,000 and to discuss those additional fees with Shuck-Britson.

10. **Development Agreement**

Mayor Emerson opened the public hearing on the proposal to enter into a Development Agreement with England Commercial Rental, LLC. There were no oral or written comments. Mayor Emerson closed the public hearing. City Manager Anderson reported that approval of the Development Agreement has been delayed for up to 60 days.

11. **Amendment No. 1 Urban Revitalization Plan**

Klein moved and Gritsch seconded to approve Resolution No. 2023-25 determining the necessity and fixing a date for a public hearing on the matter of the adoption of a proposed Amendment No. 1 to the Amended and Restated (2016) Urban Revitalization Plan and setting the public hearing for the regular City Council meeting on July 16, 2023.

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

NEW BUSINESS

12. **Property Demo/Clean Up Bids**

Thies moved and Nissly seconded to approve the bid from McDowell & Sons Contractors in the amount of \$13,900 for the demolition at 1014 Main and clean up at 150 South Fremont.

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

13. **Airport**

Thies moved and Nissly seconded to approve up to \$15,000 from the Airport General Fund for the purchase of a utility vehicle.

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

14. **Ambulance Billing Charges**

Gritsch moved and Klein seconded to approve changes in the current charges for ambulance service to be effective July 1, 2023.

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

15. **Princess Grill & Pizzeria**

Cutler moved and Thies seconded to approve the use of Iowa Falls Area Development Corporation and/or Chamber/Main Street TIF special project funds to hire an architect to draw concepts for upper story apartments not to exceed \$7,500.

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

16. **Street Department Mower**

Cutler moved and Klein seconded to approve the purchase of a new mower in the amount of \$6,475 after the trade.

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

17. **Peoplerides**

Klein moved and Nissly seconded to approve the Peoplerides Contract for Transportation Services.

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

18. **FY2022-2023 Budget Amendment**

a. Mayor Emerson opened the public hearing on an amendment to the FY2022-2023 Budget. There were no oral or written comments. Mayor Emerson closed the public hearing.

b. Nissly moved and Thies seconded to approve Resolution No. 2023-26 amending the budget for fiscal year ending June 30, 2023.
Roll Vote: Nissly, Thies, Cutler, Klein and Gritsch voting aye.

19. **FY2023-2024 Annual Salaries**

Thies moved and Nissly seconded to approve Resolution No. 2023-27 approving the annual salaries for FY2023-2024.

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

20. **Fund Transfer**

Klein moved and Nissly seconded to not to exceed \$400,000 in transfers from the General Fund to Trust & Agency.

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

21. **Employee Retirement Plan**

Nissly moved and Cutler seconded to approve Resolution No. 2023-28 appointing the City Clerk as the authorized signer for Mission Square Retirement.

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

22. **Service Line Warranties of America**

Thies moved and Gritsch seconded to approve discontinuing the water line and sewer line warranty agreement with Service Line Warranties of America.

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

23. **CDBG-CV Program**

The payment to Wiggles and Giggles was tabled to the next meeting.

24. **Appointments**

a. Cutler moved and Gritsch seconded to approve the reappointment of Kami Axtell, Jeremy Heem and Jarod Wood to the Airport Authority for terms to expire July of 2027.

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

b. Klein moved and Thies seconded to approve the Mayor's reappointment of Jim Herzog and Sandy Foland to the Tree Board for terms to expire July 2026.

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

c. Gritsch moved and Nissly seconded to approve the reappointment of Chris Jess to the Building Code Board of Appeals for a term to expire July 2028.

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

25. **Closed Session**

Thies moved and Nissly seconded to go into closed session as allowed in Iowa Code Section 21.5.1.j to discuss land acquisition and disposal and to discuss union negotiations.

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

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


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

ADJOURNMENT

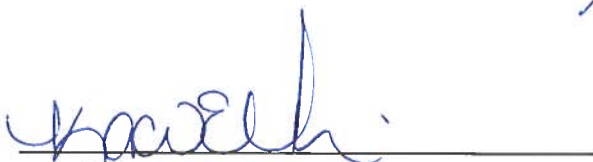
Klein moved and Nissly seconded to adjourn.

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

The meeting adjourned at 9:10 p.m.



Michael R. Emerson, Mayor



Kaci Elkin, City Clerk