

**CITY OF IOWA FALLS  
REGULAR MEETING  
APRIL 15, 2024**

The Mayor and City Council of the City of Iowa Falls met in regular session on Monday, April 15, 2024, with Mayor Pro-Tem Roger Nissly presiding over the meeting. Council Members Micah Cutler, Dave Henry, Steve Klein, and Bruce Thies were present. Mayor Michael R. Emerson was absent. Also present was City Manager Jody Anderson.

**ACCEPTANCE OF THE AGENDA**

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

**APPROVAL OF MINUTES**

Cutler noted that on the April 1, 2024 6:30 p.m. meeting, item 1b Thies had voted no. Thies moved and Klein seconded to approve the minutes of the following meetings with the noted correction, Regular Meeting of March 18, 2024, Special Meeting of April 1, 2024 (5:30) and Special Meeting of April 1, 2024 (6:30).  
Vote: Thies, Klein, Henry, Nissly and Cutler voting aye.

**APPROVAL OF MONTHLY CLAIMS AND FINANCIALS**

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

**CONSENT AGENDA**

Cutler moved and Thies seconded to approve the following items:

1. **Liquor License**

Special Class C Retail Alcohol License for the Princess Grill & Pizzeria.

2. **CDBG-CV Program**

Payment to Wiggles & Giggles Daycare in the amount of \$1,885.00.

3. **Assembly Park Restroom Project**

Pay Request #2 to Hoversten Construction in the amount of \$17,872.06.

4. **Greenbelt Christian Concert**

Resolution No. 2024-14 closing streets and a variance to the noise ordinance for the Greenbelt Christian Concert in Estes Park through midnight on August 28, 2024.

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

**OLD BUSINESS**

5. **Downtown Parking**

It was discussed to possibly limit the downtown parking to four hours during the day.

6. **Fire Department**

a. Thies moved and Klein seconded to approve Resolution No. 2024-15 approving the parade route, beginning at Taylor to Siloam, to River, to Washington, to Talbott and ending at Rocksylvaniana on Friday, September 6, 2024 beginning at 6:00 p.m.

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

b. Nissly moved and Thies seconded to table the Resolution approving the closure of Washington from Main to Oak, Estes from Main to Stevens, Main from Washington to Estes and Stevens from Washington to Estes on Saturday, September 7, 2024 from 6:00 a.m. until 6:00 p.m. for Fire Convention activities and try and find another area.

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

c. Klein moved and Cutler seconded to approve the noise ordinance variance for the Fire Convention Campground located at 1201 Commercial beginning September 1 through September 9 until 2:00 a.m. each day for various activities at the campground.

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

d. Thies moved and Klein seconded to table the request from the Fire Department that participants of the Fire Convention be allowed to use golf carts going to and from the campground area to downtown, using Commercial to East Main to Depot to Rocksylvaniana and ending at Estes Park on Saturday, September 7, 2024.

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

7. **Riverbend Rally**

Thies moved and Klein seconded to approve the request from the Riverbend Rally Committee to allow having a beverage garden in Estes Park.

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

8. **Palisades Land Development**

a. Mayor Pro-Tem Nissly opened the public hearing in regard to Palisades Development Agreement. There were no oral or written comments. Mayor Pro-Tem Nissly closed the public hearing.

b. Nissly moved and Thies seconded to approve the Palisades Land Development Agreement.

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

c. Klein moved and Cutler seconded to approve Resolution No. 2024-16 approving the Preliminary Plat of Palisades Estates Townhomes.

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

d. Cutler moved and Klein seconded to approve Resolution No. 2024-17 approving the Final Plat of Palisades Estates Townhomes.

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

9. **River Road Utility Extensions and Roadway Improvements**

Cutler moved and Thies seconded to direct City engineer Mitch Holtz to prepare bid packets and easements to get the city water and sewer lines as close to the house as possible with the project paid with water and sewer funds.

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

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

Nissly moved and Klein seconded to approve Pay Request #9 in the amount of \$34,490.50 to Cole Excavating.

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

11. **Glen Drive Bridge**

Thies moved and Nissly seconded to table any action in regard to the project.

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

12. **Alley North of N First Street**

Cutler moved and Klein seconded to table the offer from Mike Kappel to purchase the alley north of his house at 908 N 1st Street for \$100.

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

13. **Trees**

a. Klein moved and Nissly seconded to affirm the Mayor's one-time species waiver for a donated tree project.

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

b. Thies moved and Cutler 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 inspection and removal of trees.

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

c. Cutler moved and Klein seconded to approve suspension of the rules and placing on third and final reading.

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

d. Klein moved and Nissly seconded to approve on third and final reading Ordinance No. 1198 amending the Code of Ordinances of the City of Iowa Falls, Iowa, by amending provisions pertaining to inspection and removal of trees.

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

#### 14. **2024 Street Projects**

Thies moved and Klein seconded to approve the bid from Heartland Asphalt in the amount of \$794,409.77 for the 2024 Street Projects with the funding coming from 2024 bonds, TIF, Water and Wastewater Funds, Road Use Tax Funds and 80% LOST.

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

#### 15. **FY2024-2025 Budget**

a. Mayor Pro-Tem opened the public hearing on the adoption of the FY2024-2025 Budget. There was no oral or written comment. Mayor Pro-Tem closed the public hearing.

b. Cutler moved and Klein seconded to approve Resolution No. 2024-18 adopting the FY2024-2025 Budget and certifying taxes.

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

#### 16. **Water and Sewer Ordinances**

a. Klein moved and Cutler seconded to approve on second reading an Ordinance amending the Code of Ordinances of the City of Iowa Falls, Iowa, by amending provisions pertaining to water service system.

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

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

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

c. Thies moved and Cutler seconded to approve on third and final reading Ordinance No. 1199 amending the Code of Ordinances of the City of Iowa Falls, Iowa, by amending provisions pertaining to water service system.

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

d. Thies moved and Cutler seconded to approve on second reading an Ordinance amending the Code of Ordinances of the City of Iowa Falls, Iowa, by amending provisions pertaining to building sewers and connections.

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

e. Nissly moved and Henry seconded to approve suspension of the rules and placing on third and final reading.

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

f. Thies moved and Nissly seconded to approve on third and final reading Ordinance No. 1200 amending the Code of Ordinances of the City of Iowa Falls, Iowa, by amending provisions pertaining to building sewers and connections.

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

g. Cutler moved and Klein seconded to approve on second reading an Ordinance amending the Code of Ordinances of the City of Iowa Falls, Iowa, by amending provisions pertaining to sump pump and ground water standards.

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

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

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

i. Thies moved and Cutler seconded to approve on third and final reading Ordinance No. 1201 amending the Code of Ordinances of the City of Iowa Falls, Iowa, by amending provisions pertaining to sump pump and ground water standards.

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

j. Klein moved and Nissly seconded to approve on second reading an Ordinance amending the Code of Ordinances of the City of Iowa Falls, Iowa, by amending provisions pertaining to water service system.

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

k. Nissly moved and Cutler seconded to approve suspension of the rules and placing on third and final reading.

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

l. Cutler moved and Thies seconded to approve on third and final reading Ordinance No. 1202 amending the Code of Ordinances of the City of Iowa Falls, Iowa, by amending provisions pertaining to water service system.

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

m. Thies moved and Nissly seconded to approve on second reading an Ordinance amending the Code of Ordinances of the City of Iowa Falls, Iowa, by adding a new chapter in regard to cross connection and back flow prevention regulations.  
Roll Vote: Thies, Nissly, Klein, Henry and Cutler voting aye.

n. Klein moved and Cutler seconded to approve suspension of the rules and placing on third and final reading.  
Roll Vote: Klein, Cutler, Thies, Henry and Nissly voting aye.

o. Thies moved and Nissly seconded to approve on third and final reading Ordinance No. 1203 amending the Code of Ordinances of the City of Iowa Falls, Iowa, by adding a new chapter in regard to cross connection and back flow prevention regulations.  
Roll Vote: Thies, Nissly, Klein, Henry and Cutler voting aye.

17. **CDBG Housing Upper Story Conversion**

Klein moved and Thies seconded to approve the Iowa Economic Development Authority Community Development Block Grant Program Contract for upper story housing conversion for the Princess.  
Roll Vote: Klein, Thies, Cutler, Nissly and Henry voting aye.

**NEW BUSINESS**

18. **R & T Enterprises Development Agreement**

Klein moved and Cutler seconded to approve Resolution No. 2024-19 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, for the May 20, 2024, City Council meeting.  
Roll Vote: Klein, Cutler, Thies, Henry and Nissly voting aye.

19. **Water Meters**

Nissly moved and Thies seconded to table the pilot program for the use of a second meter for watering lawns and gardens and filling pools.  
Roll Vote: Nissly, Thies, Cutler, Klein and Henry voting aye.

20. **Hotel/Motel Tax Funding Application**

a. Klein moved and Thies seconded to approve funding the following applications using tourism funds: Chamber/Main Street Business Improvement Committee and Design Committee in the amount of \$5,000 for Project Facelift 2024; Chamber/Main Street in the amount of \$2,250 for Iowa Falls Vintage Postcard Mural; Sycamore Garden Club in the amount of \$500 for a sculpture project; Chamber/Main Street Festival of Lights in the amount of \$7,451 and \$30,000 for Top Flight Grille.  
Roll Vote: Klein, Thies, Cutler, Nissly and Henry voting aye.

b. Cutler moved and Nissly seconded to approve funding the following applications using economic development funds: Top Flight Grill in the amount of \$10,000 and Chamber/Main Street Business Improvement Committee and Design Committee for Project Facelift in the amount of \$5,000.

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

21. **Building Inspections**

Klein moved and Nissly seconded to approve using Safe Building LLC to do commercial building inspections as needed.

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

22. **Library Roof**

Cutler moved and Nissly seconded to select a committee with two council members, a library board member and staff to move forward with the roof replacement project as approved in the CIP.

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

23. **Police Department**

Thies moved and Klein seconded to approve the purchase of body cameras with the funding coming from 80% LOST.

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

24. **FY2023-2024 Budget Amendment**

Nissly moved and Klein seconded to set the date for a public hearing on an amendment to the FY23-24 Budget for the May 20, 2024, regular City Council meeting at 6:30 p.m.

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

25. **Appointments**

a. Klein moved and Cutler seconded to approve Resolution 2024-20 for appointment of a representative and alternate representative to serve on the Hardin County Sanitary Solid Waste Disposal Commission.

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

b. Cutler moved and Nissly seconded to approve the reappointment of Jason Snyder and Doug Haverkamp and Bob Carpenter to the Revolving Loan Fund Loan Review Committee for terms to expire in April of 2026.

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

26. **Closed Session**

Nissly moved and Klein 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, Klein, Henry, Thies and Cutler voting aye.

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

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

**ADJOURNMENT**

Thies moved and Cutler seconded to adjourn.

Vote: Thies, Cutler, Nissly, Klein and Henry voting aye.

The meeting adjourned at 9:15 p.m.

  
Kaci Elkin, City Clerk

  
Roger Nissly, Mayor Pro-Tem