

**CITY HALL
CEDAR FALLS, IOWA, FEBRUARY 19, 2018
REGULAR MEETING, CITY COUNCIL
MAYOR JAMES P. BROWN PRESIDING**

The City Council of the City of Cedar Falls, Iowa, met in Regular Session, pursuant to law, the rules of said Council and prior notice given each member thereof, in the City Hall at Cedar Falls, Iowa, at 7:00 P.M. on the above date. Members present: Miller, deBuhr, Kruse, Blanford, Darrah, Wieland, Green. Absent: None.

- 51729 - It was moved by deBuhr and seconded by Green that the minutes of the Regular Meeting of February 5, 2018 be approved as presented and ordered of record. Motion carried unanimously.

The Mayor recognized a Boy Scout in attendance at the meeting.

- 51730 - Mayor Brown announced that in accordance with the public notice of February 7, 2018, this was the time and place for a public hearing on the proposed FY19 Budget for the City of Cedar Falls. It was then moved by Blanford and seconded by Miller that the proof of publication of notice of hearing be received and placed on file. Motion carried unanimously.

- 51731 - The Mayor then asked if there were any written objections filed to the proposed Budget. Upon being advised that there were no written objections on file, the Mayor then called for oral comments. Finance & Business Operations Director Rodenbeck commented briefly. There being no one else present wishing to speak either for or against the proposed Budget, the Mayor declared the hearing closed and passed to the next order of business.

- 51732 - It was moved by Blanford and seconded by Wieland that Resolution #20,957, approving and adopting the FY19 Budget for the City of Cedar Falls, be adopted. Following due consideration by the Council, the Mayor put the question on the motion and upon call of the roll, the following named Councilmembers voted. Aye: Miller, deBuhr, Kruse, Blanford, Darrah, Wieland, Green. Nay: None. Motion carried. The Mayor then declared Resolution #20,957 duly passed and adopted.

- 51733 - It was moved by Darrah and seconded by Wieland that Resolution #20,958, approving a Highway Corridor and Greenbelt (HCG) Overlay Zoning District site plan for construction of a grocery store on Lots 32 & 33 of Pinnacle Prairie Business Center North (4500 South Main Street), be adopted. Following comments by Penny Popp, 4805 South Main Street, John Dutcher, 1238 Clark Drive, and Curt Olson, 3707 South Main Street, questions by Councilmembers deBuhr, Darrah and Green, and responses by City Engineer Resler and City Planner III Sturch, the Mayor put the question on the motion and upon call of the roll, the following named Councilmembers voted. Aye: Miller, deBuhr, Kruse, Blanford, Darrah, Wieland. Nay: Green. Motion carried. The Mayor then declared Resolution #20,958 duly passed and adopted.

- 51734 - It was moved by Miller and seconded by Blanford that a resolution approving a Highway Corridor and Greenbelt (HCG) Overlay Zoning District site plan for construction of a convenience store/gas station and detached carwash on Lots 33 &

34 of Pinnacle Prairie Business Center North (4515 Coneflower Parkway), be adopted. City Planner III Sturch provided a brief background on the proposed site plan and responded to questions by Councilmembers Kruse, Darrah and deBuhr.

The following individuals expressed concerns or spoke in opposition to the proposed site plan:

Rosemary Beach, 5018 Sage Road
Larry Wyckoff, 4241 Eastpark Road
Penny Popp, 4805 South Main Street
Jerry Dixon, 218 Spruce Hills Drive
Ron Flory, 301 Spruce Hills Drive
Kathy Barfels, 305 Spruce Hills Drive

The following individual spoke in support of the proposed site plan:

John Dutcher, 1238 Clark Drive

Following additional comments and questions by Councilmembers deBuhr, Darrah, Green, Wieland, Kruse, Miller and Blanford, and responses by City Planner III Sturch, City Engineer Resler and Kwik Star Representative Emily Kronebusch, the Mayor put the question on the motion and upon call of the roll, the following named Councilmembers voted. Aye: Miller, Blanford, Darrah. Nay: deBuhr, Kruse, Wieland, Green. Motion failed.

51735 - It was moved by Green and seconded by deBuhr that Ordinance #2917, amending Chapter 26, Traffic and Motor Vehicles, of the Code of Ordinances relative to changing the speed limit on University Avenue from Hudson Road to the east city limits from 45 miles per hour to 35 miles per hour, be passed upon its third and final consideration. The Mayor put the question on the motion and upon call of the roll, the following named Councilmembers voted. Aye: Miller, deBuhr, Kruse, Blanford, Darrah, Wieland, Green. Nay: None. Motion carried. The Mayor then declared Ordinance #2917 duly passed and adopted.

51736 - It was moved by Miller and seconded by Green to remove from the table the motion by Miller and second by Wieland to consider a resolution approving a College Hill Neighborhood Overlay Zoning District site plan for a commercial/residential mixed use development at 2119 College Street. Motion to remove from the table carried 5-2, with Blanford and Darrah voting nay.

City Planner II Graham and Community Development Director Sheetz provided a brief summary of the proposed site plan and responded to questions and comments by Councilmembers Miller and Blanford.

The following individuals spoke in support of the proposed site plan:

Dan Drendel (Slingshot Architect), 305 East Court Avenue, Des Moines, Iowa
Nick Taiber, 1709 Clay Street
Andy Fuchtman, 422 North Ellen Street
Dave Diebler, 1616 Campus Street

The following individuals spoke in opposition to the proposed site plan:

James Bunkofske, 1706 Cottage Lane

Attorney Eashaan Vajpeyi, 3831 Convair Lane
Dr. Brian Sires, 1939 College Street
Karla Bigelow-Baker (Razor's Edge), 1826 Quail Ridge Lane
Dennis Bigelow, 3909 Beaver Ridge Circle
Chris Warnimont, 415 ½ Washington Street

Following questions by Councilmembers Green and responses by Community Development Director Sheetz and City Planner II Graham, the Mayor put the question on the motion and upon call of the roll, the following named Councilmembers voted. Aye: Darrah, Wieland. Nay: Miller, deBuhr, Kruse, Blanford, Green. Motion failed.

51737 - It was moved by Darrah and seconded by Wieland that the following items and recommendations on the Consent Calendar be received, filed and approved:

Receive and file the Committee of the Whole minutes of February 5, 2018 relative to the following items:

- (1) Vine Street parking restrictions.
- (2) FY19 Budget.
- (3) Public Safety Services Update.
- (4) Bills & Payroll.

Approve and adopt action taken at the Committee of the Whole meeting of February 5, 2018 relative to Vine Street parking restrictions.

Receive and file the plans, specifications, form of contract & estimate of cost for the 2018 Sanitary Sewer Rehabilitation Project.

Receive and file the bids received for the 2018 Street Construction Project.

Approve the following applications for beer permits and liquor licenses:

- (1) Pancharo's Mexican Grill, 6421 University Avenue, Class B beer - renewal.
- (2) Asian Fusion Vietnamese and Thai Cuisine, 5725 University Avenue, Special Class C liquor - renewal.
- (3) Chad's Pizza and Restaurant, 909 West 23rd Street, Class C liquor & outdoor service - renewal.
- (4) Sakura Japanese Steakhouse & Sushi Bar, 5719 University Avenue, Class C liquor - renewal.

Motion carried unanimously.

51738 - It was moved by Darrah and seconded by Miller that the following resolutions be introduced and adopted:

Resolution #20,959, establishing the pay for a new employee hired in the position of Planner I in the Planning & Community Services Division.

Resolution #20,960, establishing the pay for an employee reclassified to the position of PT-Maintenance Worker in the Public Works & Parks Division.

Resolution #20,961, establishing the pay for an employee reclassified to the position

of Police Captain-PSO in the Police Operations Division.

Resolution #20,962, establishing the pay for three employees reclassified to the position of Police Lieutenant-PSO in the Police Operations Division.

Resolution #20,963, establishing the pay for eight employees reclassified to the position of Public Safety Officer in the Police Operations Division.

Resolution #20,964, establishing the pay for an employee assigned to the position of Acting Police Lieutenant-PSO in the Police Operations Division.

Resolution #20,965, adjusting the pay for four employees in the position of Public Safety Officer in the Police Operations Division.

Resolution #20,966, declaring an official intent under Treasury Regulation 1.150-2 to issue debt to reimburse the City for certain original expenditures paid in connection with a specified project.

Resolution #20,967, approving and authorizing execution of an Amendment, Assignment and Assumption Agreement between the University of Northern Iowa, University Book and Supply Company, Inc. and the City of Cedar Falls relative to a ground lease agreement.

Resolution #20,968, approving and adopting the recommendation of the Parks & Recreation Commission relative to the FY19 Municipal Cemetery Fee Schedule.

Resolution #20,969, approving and authorizing execution of a Lease relative to property vacated by the 2008 flood buyout programs.

Resolution #20,970, approving the completion and accepting the work of WHKS & Co., and authorizing final payment relative to a Professional Service Agreement for the Sanitary Sewer Inflow/Infiltration Control Project, Phase I.

Resolution #20,971, approving and accepting the low bid of Peterson Contractors, Inc., in the amount of \$4,676,551.93, for the 2018 Street Construction Project.

Resolution #20,972, approving and accepting a Temporary Easement, in conjunction with the 2017 Levee/Floodwall System Improvements Project.

Resolution #20,973, approving and authorizing submission of the Iowa Certified Local Government (CLG) 2017 Annual Report of the Historic Preservation Commission to the State Historical Society of Iowa.

Resolution #20,974, approving a College Hill Neighborhood Overlay Zoning District site plan for facade improvements at 917 West 23rd Street.

Resolution #20,975, approving and authorizing execution of Agreement to Amend Restrictions in Deed of Dedication of Northern Cedar Falls Industrial Park, Phase I Addition.

Resolution #20,976, approving and authorizing execution of a Professional Service Agreement with the Iowa Northland Regional Council of Governments (INRCOG) relative to the Community Development Block Grant (CDBG) Program.

Resolution #20,977, setting March 5, 2018 as the date of public hearing on the proposed plans, specifications, form of contract & estimate of cost for the 2018 Sanitary Sewer Rehabilitation Project.

Resolution #20,978, setting March 5, 2018 as the date of public hearing on a proposal to undertake a public improvement project for the Campus Street Bridge Replacement University Branch of Dry Run Creek Project and to authorize acquisition of private property for said project.

Following due consideration by the Council, the Mayor put the question on the motion and upon call of the roll, the following named Councilmembers voted. Aye: Miller, deBuhr, Kruse, Blanford, Darrah, Wieland, Green. Nay: None. Motion carried. The Mayor then declared Resolutions #20,959 through #20,978 duly passed and adopted.

51739 - It was moved by deBuhr and seconded by Kruse that the bills and payroll be allowed as presented, and that the Controller/City Treasurer be authorized to issue City checks in the proper amounts and on the proper funds in payment of the same. Upon call of the roll, the following named Councilmembers voted. Aye: Miller, deBuhr, Kruse, Blanford, Darrah, Wieland, Green. Nay: None. Motion carried.

51740 - Northern Iowa Student Liaison Cade Olmstead announced an event hosted by UNI Humanities, Arts and Sciences on February 22, 2018, 12:30-4:00 P.M.

Director of Municipal Operations and Programs Mark Ripplinger announced a Black Hawk County Gaming Grant awarded to the City for the Pickle ball project.

51741 - The City Council adjourned to Executive Session at 9:15 P.M.

51742 - Larry Wyckoff, 4241 Eastpark Road, requested that citizens work with schools to make them harder targets.

Councilmember Wieland invited citizens to contact him with concerns regarding trailers being parked in their neighborhood.

Mayor Brown reconvened the Council Meeting at 10:04 P.M. and stated that Legal Matters had been discussed but that no further action was required at this time.

51743 - It was moved by Darrah and seconded by Green that the meeting be adjourned at 10:05 P.M. Motion carried unanimously.

Jacqueline Danielsen, MMC, City Clerk