

**CITY HALL
CEDAR FALLS, IOWA, SEPTEMBER 4, 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.

- 52017 - It was moved by Kruse and seconded by deBuhr that the minutes of the Regular Meeting of August 20, 2018 be approved as presented and ordered of record. Motion carried unanimously.

- 52018 - City Clerk Danielsen announced that Item G-2.d. was being removed from the Resolution Calendar.

- 52019 - Mayor Brown announced that in accordance with the public notice of August 24, 2018, this was the time and place for a public hearing on proposed amendments to Chapter 29, Zoning, of the Code of Ordinances relative to design guidelines in the Central Business District Overlay Zoning District. It was then moved by Kruse and seconded by Green that the proof of publication of notice of hearing be received and placed on file. Motion carried unanimously.

- 52020 - The Mayor then asked if there were any written objections filed to the proposed amendments. Upon being advised that there were no written objections on file, the Mayor then called for oral comments. Planner I Lehmann commented briefly. There being no one else present wishing to speak either for or against the proposed amendments, the Mayor declared the hearing closed and passed to the next order of business.

- 52021 - It was moved by Darrah and seconded by Blanford that Ordinance #2931, amending Chapter 29, Zoning, of the Code of Ordinances relative to design guidelines in the Central Business District Overlay Zoning District, be passed upon its first consideration. 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.

- 52022 - It was moved by Wieland and seconded by Green that Ordinance #2929, amending Chapter 29, Zoning, and Chapter 27, Utilities, of the Code of Ordinances relative to the City's floodplain regulations, be passed upon its third and final consideration. 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 Ordinance #2929 duly passed and adopted.

- 52023 - It was moved by Kruse and seconded by Green that Ordinance #2930, rezoning property located generally on Lots 7 & 8 of the Midway Business Park Addition pursuant to provisions of a Zoning Agreement associated with Ordinance #2080,

which placed said property in the R-4 Residential Zoning District, be passed upon its third and final consideration. 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 Ordinance #2930 duly passed and adopted.

52024 - It was moved by Kruse and seconded by deBuhr that Resolution #21,238, approving and authorizing execution of an Agreement to Amend Restrictions in Deed of Dedication relative to property located generally on Lots 7 & 8 of the Midway Business Park Addition, 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 #21,238 duly passed and adopted.

52025 - It was moved by Kruse 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 August 20, 2018 relative to the following items:

- (1) Parking along Bergstrom Boulevard.
- (2) Hearst Center and Cultural Programs Presentation.
- (3) Pavement Management Program.
- (4) Comprehensive Plan/Zoning Ordinance Update.
- (5) Review of urban chickens.
- (6) Bills & Payroll.

Receive and file the Administration Committee minutes of August 21, 2018.

Receive and file Departmental Monthly Reports of July 2018.

Receive and file the FY18 Annual Report of the Public Works & Parks Division.

Receive and file the bid received for the 2018 Seal Coat Project.

Approve the following special event related requests:

- (1) Street closure, Coventry Lane, September 13, 2018.
- (2) Parking variance, West 2nd Street, September 15, 2018.
- (3) Street closure, College Street, September 20, 2018 & October 18, 2018.
- (4) Grant Wheeler Memorial 5K Run/Walk, October 27, 2018.

Approve the application of Masala Market, 913 West 23rd Street, for a cigarette/tobacco/nicotine/vapor permit.

Approve the following applications for beer permits and liquor licenses:

- (1) Metro Mart, 103 Franklin Street, Class C beer - renewal.
- (2) Sidecar Coffee, 2215 College Street, Special Class C liquor & outdoor service - renewal.
- (3) The Brass Tap, 421 Main Street, Class C liquor & outdoor service - renewal.

- (4) Wilbo, 118 Main Street, Class C liquor - renewal.
- (5) Casey's General Store, 1225 Fountains Way, Class E liquor - renewal.
- (6) Great Wall, 2125 College Street, Class E liquor - renewal.
- (7) The Music Station, 1420 West 1st Street, Class E liquor - renewal.
- (8) Amvets, 1934 Irving Street, Class A liquor & outdoor service - temporary expansion of outdoor service area. (September 21-23, 2018)
- (9) Mary Lou's Bar & Grill, 2719 Center Street, Class C liquor - temporary outdoor service. (September 7-8, 2018 and September 29-30, 2018)
- (10) College Hill Partnership (Oktoberfest), Municipal Lot G, Class B beer & outdoor service - 5-day permit.

Motion carried unanimously.

52026 - It was moved by Kruse and seconded by Green that the following resolutions be introduced and adopted:

Resolution #21,239, levying a final assessment for costs incurred by the City to mow and clear overgrown vegetation on the property located at 2208 Coventry Lane.

Resolution #21,240, approving and authorizing execution of an Agreement for Utilization of School Bus Services for Non-School Travel with Cedar Falls Community School District relative to summer travel for the Camp Cedar Falls program.

Resolution #21,241, approving and authorizing execution of a contract with the Governor's Traffic Safety Bureau (GTSB) relative to funding for traffic enforcement and training.

Resolution #21,242, approving and authorizing execution of a Joint Funding Agreement with the U.S. Geological Survey relative to the Cedar River Streamgauge Station.

Resolution #21,243, approving and accepting the bid of Blacktop Service Company, in the amount of \$136,174.67, for the 2018 Seal Coat Project.

Resolution #21,244, approving and accepting the contract and bond of Blacktop Service Company for the 2018 Seal Coat Project.

Resolution #21,245, approving and accepting the contract and bond of Feldman Concrete for the 2018 Sidewalk Assessment Project, Zone 9.

Resolution #21,246, approving the preliminary plat of West Village.

Resolution #21,247, approving and accepting a Lien Notice and Special Promissory Note for property located at 2103 Washington Street relative to the Rental to Single Family Owner Conversion Incentive Program.

Resolution #21,248, approving and authorizing execution of eleven Owner Purchase Agreements and one Tenant Purchase Agreement, and approving and

accepting ten Owner's Temporary Grading Easements and one Public Utility Easement, in conjunction with the West 1st Street Reconstruction Project.

Resolution #21,249, approving three occupancy permits prior to the acceptance of the public improvements in Arbors Third Addition.

Resolution #21,250, setting September 17, 2018 as the date of public hearing on the City's FY17-18 Consolidated Annual Performance and Evaluation Report for the Community Development Block Grant & HOME Programs.

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 #21,239 through #21,250 duly passed and adopted.

52027 - It was moved by Kruse and seconded by Miller that the bills and payrolls 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.

52028 - The Mayor, Community Development Director Sheetz and Public Works and Parks Manager Heath responded to inquiries by Councilmember Darrah regarding the status of any requirements relative to dry cutting of concrete.

52029 - Public Works and Parks Manager Heath provided an update on staff activity following the recent flash flooding.

Councilmember Wieland expressed appreciation for time spent over the holiday weekend by City staff responding to flooding.

52030 - It was moved by Kruse and seconded by Wieland that the meeting be adjourned at 7:12 P.M. Motion carried unanimously.

Jacqueline Danielsen, MMC, City Clerk