

**CITY HALL
CEDAR FALLS, IOWA, JANUARY 21, 2019
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.

- 52160 - It was moved by Miller and seconded by Green that the minutes of the Regular Meeting of January 7, 2019 be approved as presented and ordered of record. Motion carried unanimously.

- 52161 - Mayor Brown announced that in accordance with the public notice of January 9, 2019, this was the time and place for a public hearing on the proposed FY2019-FY2024 Capital Improvements Program (CIP). It was then moved by Wieland and seconded by Green that the proof of publication of notice of hearing be received and placed on file. Motion carried unanimously.

- 52162 - The Mayor then asked if there were any written communications filed to the proposed Capital Improvements Program. Upon being advised that there was one written communication on file, the Mayor then called for oral comments. Finance and Business Operations Director Rodenbeck commented briefly. There being no one else present wishing to speak either for or against the proposed Capital Improvements Program, the Mayor declared the hearing closed and passed to the next order of business.

- 52163 - It was moved by Kruse and seconded by Darrah that Resolution #21,399, approving and adopting the FY2019-FY2024 Capital Improvements Program (CIP), be adopted. Following questions by Councilmembers deBuhr and Darrah and responses by Finance and Business Operations Director Rodenbeck, Community Development Director Sheetz and City Administrator Gaines, 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 #21,399 duly passed and adopted.

- 52164 - It was moved by Green and seconded by Wieland that Resolution #21,400, 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 specified projects, be adopted. Following a clarification by Finance and Business Operations Director Rodenbeck, 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 #21,400 duly passed and adopted.

- 52165 - Mayor Brown announced that in accordance with the public notice of January 11, 2019, this was the time and place for a public hearing on the proposed plans, specifications, form of contract & estimate of cost for the Place to Play

Playground Project. It was then moved by Wieland and seconded by deBuhr that the proof of publication of notice of hearing be received and placed on file. Motion carried unanimously.

- 52166 - The Mayor then asked if there were any written communications filed to the proposed plans, etc. Upon being advised that there were no written communications on file, the Mayor then called for oral comments. Municipal Operations and Programs Director Ripplinger commented briefly. There being no one else present wishing to speak either for or against the proposed plans, etc., the Mayor declared the hearing closed and passed to the next order of business.
- 51967 - It was moved by Blanford and seconded by Darrah that Resolution #21,401, approving and adopting the plans, specifications, form of contract & estimate of cost for the Place to Play Playground Project, 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 #21,401 duly passed and adopted.
- 52168 - Mayor Brown announced that in accordance with the public notice of January 11, 2019, this was the time and place for a public hearing on the proposed plans, specifications, form of contract & estimate of cost for the 2019 Street Construction Project. It was then moved by Green and seconded by Miller that the proof of publication of notice of hearing be received and placed on file. Motion carried unanimously.
- 52169 - The Mayor then asked if there were any written communications filed to the proposed plans, etc. Upon being advised that there were no written communications on file, the Mayor then called for oral comments. Principal Engineer Schrage provided a brief explanation and responded to questions by Councilmembers Blanford and Kruse. There being no one else present wishing to speak either for or against the proposed plans, etc., the Mayor declared the hearing closed and passed to the next order of business.
- 52170 - It was moved by Darrah and seconded by Kruse that Resolution #21,402, approving and adopting the plans, specifications, form of contract & estimate of cost for the 2019 Street Construction Project, 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 #21,402 duly passed and adopted.
- 52171 - It was moved by deBuhr and seconded by Wieland that Ordinance #2935, amending Section 29-107 of the Code of Ordinances by removing property located to the north of Arbors Drive and west of Richard Road from A-1, Agricultural District, and placing the same in R-1, Residence District, be passed upon its second 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.

- 52172 - It was moved by Miller and seconded by Darrah that the following items and recommendations on the Consent Calendar be received, filed and approved:

Receive and file the resignation of Robert Frederick as a member of the Civil Service Commission.

Receive and file the Committee of the Whole minutes of January 7, 2019 relative to the following items:

- a) FY19-24 Capital Improvements Program (CIP) - Joint Meeting with Planning & Zoning Commission.
- b) Bills & Payroll.

Receive and file communications from the Civil Service Commission relative to certified lists for the following positions:

- a) Civil Engineer I.
- b) Public Works & Parks Supervisor.

Approve the following applications for beer permits and liquor licenses:

- a) Pancharo's Mexican Grill, 6421 University Avenue, Class B beer - renewal.
- b) Hy-Vee Tasting Room, 6301 University Avenue, Special Class C liquor - renewal.
- c) Fraternal Order of Eagles, 2125 West Lone Tree Road, Class C liquor & outdoor service - renewal.

Motion carried unanimously.

- 52173 - It was moved by Green and seconded by Kruse that the following resolutions be introduced and adopted:

Resolution #21,403, approving and authorizing execution of two leases relative to property vacated by the 2008 flood buyout programs.

Resolution #21,404, approving and authorizing execution of two Owner Purchase Agreements and one Tenant Purchase Agreement, and approving and accepting two Owner's Temporary Grading Easements for Construction, in conjunction with the West 1st Street Reconstruction Project.

Resolution #21,405, approving and accepting a Warranty Deed for the purchase of 73.65 acres, more or less, of real estate owned by Artesian Earthworks, LLC relative to expansion of the West Viking Road Industrial Park.

Resolution #21,406, approving and accepting a Warranty Deed for the purchase of 126.07 acres, more or less, of real estate owned by Lois Rieger, John Rieger, Rick Rieger and Steven Rieger relative to expansion of the West Viking Road Industrial Park.

Resolution #21,407, supporting a Workforce Housing Tax Incentive Program (WHTIP) application to be submitted to the Iowa Economic Development Authority, and supporting the contract with State Street Mixed Use II LC.

Resolution #21,408, setting February 18, 2019 as the date of public hearing on a proposal to undertake a public improvement project for the Walnut Street Box Culvert 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 #21,403 through #21,408 duly passed and adopted.

52174 - It was moved by Kruse and seconded by Wieland that the bills and payroll of January 21, 2019 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.

52175 - Councilmember Kruse commented about his snow plow ride along experience and expressed appreciation to the Public Works & Parks Division on their work.

On behalf of Black Hawk County Health, Councilmember Green announced the Cedar Falls Recreation Center will have Radon Testing Kits available for \$10 on January 23rd from 11am-1pm for Radon Awareness Month.

Northern Iowa Student Liaison Jacob Madden made a statement on behalf of the Northern Iowa Student Government recognizing Martin Luther King Jr. Day and the University Service and Leadership Council, along with 650 volunteers, that packaged 20,000+ backpacks of food supplies for the Northeast Iowa Food Bank.

52176 - It was moved by Kruse and seconded by Green to adjourn to Executive Session to discuss Collective Bargaining per Iowa Code Section 20.17(3), following Public Forum. Upon call of the roll, the following named Councilmembers voted. Aye: Miller, deBuhr, Kruse, Blanford, Darrah, Wieland, Green. Nay: None. Motion carried.

The City Council adjourned to Executive Session at 7:22 P.M.

Mayor Brown reconvened the Council Meeting at 7:31 P.M. and stated that Collective Bargaining had been discussed but that no further action was required at this time.

52177 - It was moved by Miller and seconded by Darrah that the meeting be adjourned at 7:32 P.M. Motion carried unanimously.

Jacqueline Danielsen, MMC, City Clerk