

**CITY HALL
CEDAR FALLS, IOWA, SEPTEMBER 17, 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, Wieland. Absent: Darrah, Green.

- 52031 - It was moved by Wieland and seconded by Kruse that the minutes of the Regular Meeting of September 4, 2018 be approved as presented and ordered of record. Motion carried unanimously.

Mayor Brown read a proclamation declaring September 17-23, 2018 as Constitution Week and Chapter Regent Susan LeQuatte introduced Vice Regent Barb Gregersen and member Jeverna Mulligan and spoke on behalf of the Cedar Falls Chapter of the Daughters of the American Revolution (DAR).

Mayor Brown read a proclamation declaring September 2018 as Hunger Action Month and Marketing Manager Bryan Helleso spoke on behalf of the Northeast Iowa Food Bank.

Mayor Brown read a proclamation declaring October 7-13, 2018 as Fire Prevention Week and Fire Chief Bostwick commented on events that would be taking place during Fire Prevention Week.

Mayor Brown read a proclamation declaring September 23-29, 2018 as National Rail Safety Week.

- 52032 - Mayor Brown announced that in accordance with the public notice of September 10, 2018, this was the time and place for a public hearing on proposed submission of the City's FY17-18 Consolidated Annual Performance and Evaluation Report for the Community Development Block Grant & HOME Programs. It was then moved by Miller and seconded by Kruse that the proof of publication of notice of hearing be received and placed on file. Motion carried unanimously.

- 52033 - The Mayor then asked if there were any written objections filed to the proposed report. Upon being advised that there were no written objections on file, the Mayor then called for oral comments. Community Services Manager Howard commented briefly. There being no one else present wishing to speak either for or against the proposed report, the Mayor declared the hearing closed and passed to the next order of business.

- 52034 - It was moved by Wieland and seconded by deBuhr that Resolution #21,251, approving the submission of the City's FY17-18 Consolidated Annual Performance and Evaluation Report for the Community Development Block Grant & HOME Programs, 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, Wieland. Nay: None.

Motion Carried. The Mayor then declared Resolution #21,251 duly passed and adopted.

52035 - It was moved by Kruse and seconded by Wieland 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 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, Wieland. Nay: None. Motion carried.

52036 - It was moved by Miller and seconded by Kruse that the following items and recommendations on the Consent Calendar be received, filed and approved:

Receive and file the resignation of Donna Bash as a member of the Historic Preservation Commission.

Receive and file the bids received for the Cedar Falls Public Library Remodel Project.

Approve a request for a street closure on Park Drive on September 29, 2018.

Approve the following applications for beer permits and liquor licenses:

- (1) Pablo's Mexican Grill, 310 Main Street, Class B beer - renewal.
- (2) Doughy Joey's Peetza Joynt, 126 Brandilynn Boulevard, Class C liquor & outdoor service - renewal.
- (3) Little Bigs, 2210 College Street, Class C liquor - renewal.
- (4) The Landmark, 107 Main Street, Class C liquor & outdoor service - renewal.
- (5) Voodoo Lounge, 401 Main Street, Class C liquor - renewal.
- (6) Mary Lou's Bar & Grill, 2719 Center Street, Class C liquor - temporary outdoor service. (September 21-22, 2018)
- (7) Escapology Cedar Falls, 2518 Melrose Drive, Special Class C liquor - new.

Motion carried unanimously.

52037 - It was moved by Kruse and seconded by deBuhr that the following resolutions be introduced and adopted:

Resolution #21,252, naming official depositories for the City of Cedar Falls.

Resolution #21,253, approving and authorizing submission of the City's FY18 Official Financial Report for Streets.

Resolution #21,254, approving and adopting the rate of \$3.89 per \$1,000 taxable value for the Downtown Cedar Falls Self-Supported Municipal Improvement District (SSMID) for FY20.

Resolution #21,255, approving and authorizing execution of a Services Agreement with Municipal Code Corporation relative to agenda management software.

Resolution #21,256, approving and authorizing execution of a Consolidated Public Safety Communications 28E Agreement with participating government agencies in Black Hawk County relative to providing consolidated dispatch and communications services.

Resolution #21,257, approving and authorizing execution of an Access Agreement for Solid Waste Collection Services with Whispering Pines Condominiums Owners' Association relative to garbage, yard waste and refuse services.

Resolution #21,258, approving and accepting the low bid of Huff Contracting, Inc. in the amount of \$103,920.00, for the Cedar Falls Public Library Remodel Project.

Resolution #21,259, approving and accepting the contract and bond of Huff Contracting, Inc. for the Cedar Falls Public Library Remodel Project.

Resolution #21,260, supporting a Grant Application to the Federal Recreation Trails Program for the Lake Street Trail Project, and confirming the City's commitment to maintain the trail for public use for a minimum of twenty years.

Resolution #21,261, approving and authorizing execution of six Agreements for Professional Services relative to use of Community Development Block Grant (CDBG) funds, in conjunction with the FY18-19 Annual Action Plan.

Resolution #21,262, approving and accepting a Lien Notice and Special Promissory Note for property located at 815 Olive Street relative to the Rental to Single Family Owner Conversion Incentive Program.

Resolution #21,263, approving a Central Business District Overlay Zoning District site plan for a mural at 408-412 Main Street.

Resolution #21,264, approving a Central Business District Overlay Zoning District site plan for a building addition at 308 Franklin Street.

Resolution #21,265, approving and authorizing execution of four Owner Purchase Agreements and two Tenant Purchase Agreements, and approving and accepting four Owner's Temporary Grading Easements and one Public Utility Easement, in conjunction with the West 1st Street Reconstruction Project.

Resolution #21,266, setting October 1, 2018 as the date of public hearing on a proposed ordinance granting a partial property tax exemption to Standard Distribution Co. for construction of a warehouse addition at 317 Savannah Park Drive.

Resolution #21,267, setting October 1, 2018 as the date of public hearing to consider entering into a proposed Agreement for Private Development with Six Kids, L.L.C., conveyance of certain city-owned real estate to Six Kids, L.L.C. and payment of certain economic development grants pursuant to said proposed Agreement.

Resolution #21,268, setting October 1, 2018 as the date of public hearing on the proposed rezoning from A-1, Agricultural District, to HWY-1, Highway Commercial

District, of property located in the southwest corner of Highway 58 and West Ridgeway Avenue, subject to certain conditions.

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, Wieland. Nay: None. Motion carried. The Mayor then declared Resolutions #21,252 through #21,268 duly passed and adopted.

- 52038 - It was moved by Miller and seconded by Blanford that Resolution #21,269, approving and authorizing execution of Supplemental Agreement No. 1 to the Professional Service Agreement with Foth Infrastructure & Environment, LLC relative to the Henry Property Traffic Impact Study Peer Review, be adopted. Following a question by Councilmember deBuhr and response by City Engineer Resler, the Mayor put the question on the motion and upon call of the roll, the following named Councilmembers voted. Aye: Miller, deBuhr, Kruse, Blanford, Wieland. Nay: None. Motion Carried. The Mayor then declared Resolution #21,269 duly passed and adopted.
- 52039 - It was moved by Miller and seconded by Kruse that Resolution #21,270, approving and authorizing execution of a Memorandum of Understanding with Iowa Northland Regional Council of Governments (INRCOG) relative to preparation of a Federal Recreational Trails Program Grant Application for the Lake Street Trail, be adopted. Following a question by Councilmember Miller and response by Community Development Director Sheetz, the Mayor put the question on the motion and upon call of the roll, the following named Councilmembers voted. Aye: Miller, deBuhr, Kruse, Blanford, Wieland. Nay: None. Motion Carried. The Mayor then declared Resolution #21,270 duly passed and adopted.
- 52040 - It was moved by Miller and seconded by Kruse that Resolution #21,271, setting October 1, 2018 as the date of public hearing on the proposed rezoning from A-1, Agricultural District, to R-1, Residence District, of property located at the north end of Lakeshore Drive, be adopted. Following a question by Councilmember deBuhr and response by Community Services Manager Howard, the Mayor put the question on the motion and upon call of the roll, the following named Councilmembers voted. Aye: Miller, deBuhr, Kruse, Blanford, Wieland. Nay: None. Motion Carried. The Mayor then declared Resolution #21,271 duly passed and adopted.
- 52041 - It was moved by deBuhr and seconded by Wieland 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, Wieland. Nay: None. Motion carried.
- 52042 - It was moved by Miller and seconded by Kruse to adjourn to Executive Session to discuss Property Acquisition per Iowa Code Section 21.5(1)(j) to discuss the purchase or sale of particular real estate only where premature disclosure could be reasonably expected to increase the price the governmental body would have to pay for that property or reduce the price the governmental body would receive for that property, following Public Forum. Upon call of the roll, the following named Councilmembers voted. Aye: Miller, deBuhr, Kruse, Blanford, Wieland. Nay: None.

Motion carried.

- 52043 - Barbara Lounsberry, 2120 Tremont Street, provided a summary of events during the Cedar Falls Authors Festival over the past year, and expressed appreciation of the City and the community for their support.

Penny Popp, 4805 South Main Street, commented on a 'Smart Growth Manual', referencing form-based zoning concepts and applicability to zoning codes. Mayor Brown responded that the book is just another tool to use when reviewing options.

Larry Wyckoff, 4241 Eastpark Road, expressed appreciation for the resurfacing of Eastpark Road and recent repairs to Main Street. Mr. Wyckoff also commented about a recent accident involving a cement truck in a roundabout, damages sustained to another roundabout, and a perceived reduction of traffic on University Avenue since the reconstruction.

The City Council adjourned to Executive Session at 7:34 P.M.

Mayor Brown reconvened the Council Meeting at 8:11 P.M. and stated that Property Acquisition had been discussed but that no further action was required at this time.

- 52044 - It was moved by Kruse and seconded by Miller that the meeting be adjourned at 8:12 P.M. Motion carried unanimously.

Jacqueline Danielsen, MMC, City Clerk