



**AGENDA  
CITY OF CEDAR FALLS, IOWA  
CITY COUNCIL MEETING  
MONDAY, MAY 06, 2019  
7:00 PM AT CITY HALL**

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**Call to Order by the Mayor**

**Roll Call**

**Approval of Minutes**

1. Regular Meeting of April 15, 2019.
2. Special Meeting of April 25, 2019.

**Agenda Revisions**

**Special Order of Business**

3. Public hearing on proposed amendments to the City's FY19 Budget.
  - a) Receive and file proof of publication of notice of hearing. (Notice published April 19, 2019)
  - b) Written communications filed with the City Clerk.
  - c) Oral comments.
4. Resolution approving and adopting amendments to the City's FY19 Budget.
5. Public hearing on the proposed plans, specifications, form of contract & estimate of cost for the Walnut Street Box Culvert Replacement - University Branch of Dry Run Creek Project.
  - a) Receive and file proof of publication of notice of hearing. (Notice published April 19, 2019)
  - b) Written communications filed with the City Clerk.
  - c) Oral comments.
6. Resolution approving and adopting the plans, specifications, form of contract & estimate of cost for the Walnut Street Box Culvert Replacement - University Branch of Dry Run Creek Project.
7. Public hearing on the proposed plans, specifications, form of contract & estimate of cost for the Ridgeway Avenue Reconstruction Project - Chancellor Drive to Nordic Drive.
  - a) Receive and file proof of publication of notice of hearing. (Notice published April 19, 2019)
  - b) Written communications filed with the City Clerk.
  - c) Oral comments.
8. Resolution approving and adopting the plans, specifications, form of contract & estimate of cost for the Ridgeway Avenue Reconstruction Project - Chancellor Drive to Nordic Drive.
9. Public hearing on the proposed plans, specifications, form of contract & estimate of cost for the 100 Block Alley Reconstruction Project.

- a) Receive and file proof of publication of notice of hearing. (Notice published April 19, 2019)
  - b) Written communications filed with the City Clerk.
  - c) Oral comments.
10. Resolution approving and adopting the plans, specifications, form of contract & estimate of cost for the 100 Block Alley Reconstruction Project.
  11. Public hearing on the FY19-23 Consolidated Plan and FY19 Annual Action Plan for Community Development Block Grant & HOME Program funding.
    - a) Receive and file proof of publication of notice of hearing. (Notice published April 29, 2019)
    - b) Written communications filed with the City Clerk.
    - c) Oral comments.
  12. Resolution approving and authorizing submission of the FY19-23 Consolidated Plan and FY19 Annual Action Plan for Community Development Block Grant & HOME Program funding.

**Old Business**

13. Pass Ordinance #2939, amending Chapter 26, Zoning, of the Code of Ordinances relative to the College Hill Neighborhood (CHN) Overlay Zoning District, upon its third & final consideration.

**New Business**

**Consent Calendar:** (The following items will be acted upon by voice vote on a single motion without separate discussion, unless someone from the Council or public requests that a specific item be considered separately.)

14. Approve the recommendation of the Mayor relative to the appointment of Rebecca Aberle as Student Liaison, term ending 04/30/2020.
15. Approve the recommendation of the Mayor relative to the appointment of Paul Lee to the Civil Service Commission, term ending 04/06/2020.
16. Receive and file the Committee of the Whole minutes of April 15, 2019 relative to the following items:
  - a) Small Cell Siting.
  - b) Bills & Payroll.
17. Receive and file Departmental Monthly Reports of March 2019.
18. Receive and file communications from the Civil Service Commission relative to certified lists for the following positions:
  - a) Storm Water Specialist.
  - b) Public Safety Supervisor - Lieutenant.
  - c) Public Safety Supervisor - Captain.
19. Receive and file the 2018 Annual Reports of the Planning & Zoning Commission, Board of Adjustment, Historic Preservation Commission, Group Rental Committee/Board of Rental Housing Appeals, Housing Commission and Bicycle & Pedestrian Advisory Committee.
20. Receive and file the Bi-Annual Report of Community Main Street relative to FY19 Self-Supported Municipal Improvement District (SSMID) Funds and an FY19 Economic Development Grant.
21. Receive and file the Bi-Annual Report of College Hill Partnership relative to FY19 Self-Supported Municipal Improvement District (SSMID) Funds and an FY19 Economic Development Grant.

22. Receive and file three Reports of Compensation Commissioners and Notices of Appraisalment of Damages and Time of Appeal, in conjunction with the West 1st Street Reconstruction Project.
23. Approve the following applications for cigarette/tobacco/nicotine/vapor permits:
  - (1) Five Corners Liquor & Wine, 809 East 18th Street.
  - (2) Hansen's Dairy, 123 East 18th Street.
  - (3) Happy's Wine & Spirits, 5925 University Avenue.
  - (4) Hy-Vee Food Store, 6301 University Avenue.
  - (5) Hy-Vee Gas, 6527 University Avenue.
  - (6) Prime Mart, 2323 Main Street.
  - (7) The Landmark, 107 Main Street.
  - (8) Up In Smoke, 2218 College Street.
  - (9) Wal-Mart, 525 Brandilynn Boulevard.
  - (10) ZSAVOOZ, 206 Brandilynn Boulevard.
24. Approve the following applications for beer permits and liquor licenses:
  - a) Tobacco Outlet Plus, 4116 University Avenue, Class C beer - renewal.
  - b) NewAldaya Lifescapes, 7511 University Avenue, Class A liquor & outdoor service - renewal.
  - c) Berk's Main Street Pub, 207 Main Street, Class C liquor - renewal.
  - d) Walgreens, 2509 Whitetail Drive, Class E liquor - renewal.
  - e) The Black Hawk Hotel/Bar Winslow/Farm Shed, 115-119 Main Street, Class B liquor & outdoor service - sidewalk café.
  - f) Sturgis Falls Celebration, Island Park Beach House, Class B beer & outdoor service - 5-day permit.
  - g) Sturgis Falls Celebration, Gateway Park, Special Class C liquor & outdoor service - 5-day permit.
  - h) Cedar Basin Jazz Festival & Live to 9, Sturgis Park, Special Class C liquor & outdoor service - 6-month permit.
  - i) Casey's General Store, 2425 Center Street, Class E liquor - new.

**Resolution Calendar:** (The following items will be acted upon by roll call vote on a single motion without separate discussion, unless someone from the Council or public requests that a specific item be considered separately.)

25. Resolution approving and authorizing execution of a Consulting Agreement with Holmes Murphy & Associates, Inc. relative to employee benefits consulting services.
26. Resolution approving and authorizing execution of an Amendment to the Employer Participation Agreement with Express Scripts, Inc. relative to auditing of pharmacy benefit management services.
27. Resolution approving and authorizing the expenditure of funds for the purchase of printers and copiers.
28. Resolution approving and authorizing execution of an Easement Agreement, in conjunction with a sidewalk café at 115-119 Main Street.
29. Resolution approving and authorizing execution of an Agreement for Wrecker/Towing/Storage Service with L&M Transmission & Towing.
30. Resolution approving and authorizing execution of an Agreement for Wrecker/Towing/Storage Service with The Rasmusson Company.
31. Resolution approving and authorizing execution of a Memorandum of Understanding with the Black Hawk County Pheasants Forever & Quail Forever Chapter relative to the Youth Pollinator Habitat Project.
32. Resolution approving and authorizing the expenditure of funds for the purchase of a grapple loader truck.
33. Resolution approving and accepting the contract and bond of Benton's Sand & Gravel, Inc. for the 2019 Permeable Alley Project.

34. Resolution approving and accepting two Temporary Construction Easements, one Warranty Deed and one Special Warranty Deed, in conjunction with the Ridgeway Avenue Reconstruction Project.
35. Resolution approving and accepting a Lien Notice and Special Promissory Note for property located at 315 Franklin Street relative to the Rental to Single Family Owner Conversion Incentive Program.
36. Resolution approving and authorizing execution of a contract with the Cedar Falls Woman's Club for use of their facility for a charrette relative to the Downtown Visioning & Zoning Code Update.
37. Resolution approving and authorizing execution of Supplemental Agreement No. 2 to the Professional Service Agreement with Riverwise Engineering, LLC for bathymetric survey services relative to the Cedar River Recreational Improvement Project.
38. Resolution approving and authorizing execution of a Contract for Appraisal Services with Rally Appraisal relative to the 2019 Northern Cedar Falls Flood Buyout Program.
39. Resolution approving and authorizing execution of an Encroachment Agreement with the North Cedar Neighborhood Association relative to placement of a neighborhood sign within the public right-of-way.
40. Resolution approving the preliminary plat of Furn Subdivision.
41. Resolution approving the final plat of Furn Subdivision.
42. Resolution approving an S-1 Shopping Center District site plan for redevelopment of a building located at 6301 University Avenue.
43. Resolution approving and authorizing execution of a Developmental Procedures Agreement with Furn USA IA-Cedar Falls, LLC relative to property located at 6301 University Avenue.
44. Resolution approving the reassignment of a Professional Service Agreement from Community ReCode, LLC to Ferrell Madden, LLC relative to the Downtown Visioning & Zoning Code Update Project.
45. Resolution approving and adopting Project Priorities for the Downtown Visioning & Zoning Code Update.
46. Resolution approving the proposal of Sturgis Falls Celebration, Inc. to construct a permanent stage, and waiving the variance application fee.
47. Resolution approving and authorizing execution of five Memorandums of Agreement for stair reconstruction, in conjunction with the 100 Block Alley Reconstruction Project.
48. Resolution approving and authorizing execution of Supplemental Agreement No. 5 with Snyder & Associates, Inc. for 2019 Engineering Services relative to the 2nd Street Reconstruction-Main to Washington and 3rd Street Reconstruction-State to Washington Projects.

## **Ordinances**

49. Pass an ordinance amending Chapter 2, Administration, of the Code of Ordinances relative to the reorganization of City operations, upon its first consideration.
50. Pass an ordinance amending certain sections of the Code of Ordinances relative to the renaming of the Department of Municipal Operations and Programs to the Department of Public Works, in conjunction with the reorganization of City operations, upon its first consideration.
51. Pass an ordinance amending Chapter 15, Nuisances and Chapter 17, Parks and Recreation, of the Code of Ordinances relative to the renaming of the Public Works and Parks Division Manager to the Operations and Maintenance Division Manager, in conjunction with the reorganization of City operations, upon its first consideration.

52. Pass an ordinance amending certain sections of the Code of Ordinances to be in conformance with the Code of Iowa and consistent with current City operations, upon its first consideration.

**Allow Bills and Payroll**

53. Allow Bills and Payroll of May 6, 2019.

**City Council Referrals**

**City Council Updates**

**Executive Session**

54. Executive Session to discuss Legal Matters per Iowa Code Section 21.5(1)(c) to discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation, and 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.

**Public Forum.** (Speakers will have one opportunity to speak for up to 5 minutes on topics germane to City business.)

**Adjournment**