



**AGENDA  
CITY OF CEDAR FALLS, IOWA  
CITY COUNCIL MEETING  
MONDAY, MARCH 06, 2023  
7:00 PM AT CITY HALL, 220 CLAY STREET**

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**Call to Order by the Mayor**

**Roll Call**

**Pledge of Allegiance**

**Approval of Minutes**

1. Regular meeting of February 20, 2023.

**Agenda Revisions**

**Special Presentations**

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

**Staff Updates**

**Special Order of Business**

2. Hearing on the proposed condemnation of property located at 2208 Coventry Lane.
  - a) Written communications filed with the City Clerk.
  - b) Oral comments.
  - c) Resolution declaring the property located at 2208 Coventry Lane to be a nuisance due to being structurally unsafe, a fire hazard, or otherwise dangerous to human life and health, and ordering abatement of said nuisance by removal, repair or demolition of said property and requiring the owner of said property to abate said nuisance or submit a viable plan by March 20, 2023.
3. Public hearing on a proposal to enter into an Agreement for Private Development, and to consider conveyance of certain city-owned real estate to McDonald Construction & Remodeling, LLC.
  - a) Receive and file proof of publication of notice of hearing. (Notice published 02/24/2023)
  - b) Written communications filed with the City Clerk.
  - c) Staff comments.
  - d) Public comments.
  - e) Resolution approving and authorizing execution of an Agreement for Private Development, and approving and authorizing execution of a Quit Claim Deed conveying certain city-owned real estate to McDonald Construction & Remodeling, LLC.
4. Public hearing on the proposed plans, specifications, form of contract & estimate of cost for the 2023 Sanitary Sewer Rehabilitation Project.

- a) Receive and file proof of publication of notice of hearing. (Notice published 02/24/2023)
  - b) Written communications filed with the City Clerk.
  - c) Staff comments.
  - d) Public comments.
  - e) Resolution approving and adopting the plans, specifications, form of contract & estimate of cost for the 2023 Sanitary Sewer Rehabilitation Project.
5. Public hearing on the proposed plans, specifications, form of contract & estimate of cost for the 2023 Street Construction Project.
- a) Receive and file proof of publication of notice of hearing. (Notice published 02/24/2023)
  - b) Written communications filed with the City Clerk.
  - c) Staff comments.
  - d) Public comments.
  - e) Resolution approving and adopting the plans, specifications, form of contract & estimate of cost for the 2023 Street Construction Project.
6. Public hearing on the proposed plans, specifications, form of contract & estimate of cost for the North Cedar Heights Area Reconstruction Project - Phase I.
- a) Receive and file proof of publication of notice of hearing. (Notice published 02/24/2023)
  - b) Written communications filed with the City Clerk.
  - c) Staff comments.
  - d) Public comments.
  - e) Resolution approving and adopting the plans, specifications, form of contract & estimate of cost for the North Cedar Heights Area Reconstruction Project - Phase I.

**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.)

- 7. Receive and file the City Council Standing Committee minutes of February 20, 2023 relative to the following items:
  - a) City Council Email System Discussion.
  - b) Committee to draft request for proposal (RFP) for assessment of the Public Safety Department.
- 8. Approve a proclamation recognizing March 2023 as Women's History month.
- 9. Receive and file the following resignation of members from Boards and Commissions:
  - a) Melissa Heston, Human Rights Commission.
- 10. Receive and file Departmental Monthly Reports of January 2023.
- 11. Approve the application of Robert Schmitz, d/b/a Cedar Valley Bin Cleaning (Bennington Fields, LLC), for a Mobile Merchant license.
- 12. Approve an Order Accepting Acknowledgment/Settlement Agreement with Cedar Star, Inc., d/b/a Bani's, 2128 College Street, for a second tobacco violation.

13. Approve the application of Bani's, 2128 College Street, for a cigarette/tobacco/nicotine/vapor permit - change in ownership.
14. Approve the following applications for retail alcohol licenses:
  - a) Hatchlings & Hens, 109 Main Street, Special Class B retail native wine – renewal.
  - b) Deringer's Public Parlor, 314 ½ Main Street, Class C retail alcohol – renewal.
  - c) The Stuffed Olive and Roxxy, 314-316 Main Street, Class C retail alcohol & outdoor service - renewal.
  - d) Hillstreet News & Tobacco, 2217 College Street, Class E retail alcohol - renewal.
  - e) Bani's, 2128 College Street, Class E retail alcohol – new – change in ownership.

**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.)

15. Resolution Calendar with items considered separately.
16. Resolution approving and authorizing execution of an Apple Device Enrollment Program Facilitation Agreement with USCC Distribution Co. LLC, relative to mobile device management.
17. Resolution approving and authorizing execution of a First Amendment to Agreement for Private Development and Memorandum of Agreement Regarding Minimum Improvements with McWing, L.L.C.
18. Resolution approving and authorizing execution of a Lease relative to a property vacated by flood buyout programs.
19. Resolution approving and authorizing expenditure of funds to repair a pump at the 17th Street Lift Station.
20. Resolution approving and accepting the contract and bond of Peterson Contractors, Inc. for the Oak Park Boulevard Sanitary Sewer Replacement Project.
21. Resolution approving and accepting the contract and bond of K&W Electric, Inc. for the Hudson Road & West Ridgeway Avenue Intersection Improvements Project.
22. Resolution approving and accepting two Warranty Deeds, in conjunction with the Main Street Reconstruction Project.
23. Resolution approving and authorizing execution of twenty Owner Purchase Agreements; and approving and accepting twenty Temporary Construction Easements, four Storm Sewer and Drainage Easements, and one Permanent Water Main Easement, in conjunction with the North Cedar Heights Area Reconstruction Project.
24. Resolution setting March 20, 2023 as the date of public hearing on the maximum levy rate.
25. Resolution setting March 20, 2023 as the date of public hearing on proposed amendments to Chapter 26, Zoning, of the Code of Ordinances relative to Planning & Zoning Commission review of site plans in the Downtown Character District (CD-DT).
26. Resolution setting March 20, 2023 as the date of public hearing on proposed amendments to Chapter 26, Zoning, of the Code of Ordinances relative to eliminating the shared parking requirement in the Downtown Charter District (CD-DT).
27. Resolution setting March 20, 2023 as the date of public hearing on proposed amendments to Chapter 26, Zoning, of the Code of Ordinances relative to increasing residential parking requirements in the Downtown Charter District (CD-DT) to one parking space per bedroom.

#### **Allow Bills and Claims**

28. Allow Bills and Claims for March 6, 2023.

## **Council Updates and Announcements**

### **Council Referrals**

29. Refer to the Public Works Committee discussion regarding the river dam and the future of the dam on the Cedar River.

### **Adjournment**