

**CITY HALL
CEDAR FALLS, IOWA, MARCH 2, 2020
REGULAR MEETING, CITY COUNCIL
MAYOR ROBERT M. GREEN 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, Harding, Darrah, Sires, Taiber. Absent: None.

- 52696 - It was moved by Darrah and seconded by Kruse that the minutes of the Regular Meeting of February 17, 2020 be approved as presented and ordered of record. Motion carried unanimously.

- 52697 - It was moved by Miller and seconded by Darrah that the minutes of the Special Meeting of February 20, 2020 be approved as presented and ordered of record. Motion carried unanimously.

- 52698 - Mayor Green announced that in accordance with the public notice of February 21, 2020, this was the time and place for a public hearing on the proposed plans, specifications, form of contract & estimate of cost for the 2020 Permeable Alley Project. It was then moved by Darrah and seconded by Miller that the proof of publication of notice of hearing be received and placed on file. Motion carried unanimously.

- 52699 - 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 Fitch provided a brief summary of the proposed project. Jim Skaine, 2215 Clay Street, commented on placement of agenda items. There being no one else present wishing to speak about the proposed plans, etc., the Mayor declared the hearing closed and passed to the next order of business.

- 52700 - It was moved by Kruse and seconded by Miller that Resolution #21,894, approving and adopting the plans, specifications, form of contract & estimate of cost for the 2020 Permeable Alley 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, Harding, Darrah, Sires, Taiber. Nay: None. Motion carried. The Mayor then declared Resolution #21,894 duly passed and adopted.

- 52701 - Mayor Green announced that in accordance with the public notice of February 21, 2020, this was the time and place for a public hearing on the proposed plans, specifications, form of contract & estimate of cost for the 2020 Street Construction Project. It was then moved by Darrah and seconded by Harding that the proof of publication of notice of hearing be received and placed on file. Motion carried unanimously.

- 52702 - 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 Fitch provided a brief summary of the proposed project. There being no one else present wishing to speak about the proposed plans, etc., the Mayor declared the hearing closed and passed to the next order of business.

52703 - It was moved by Kruse and seconded by Harding that Resolution #21,895, approving and adopting the plans, specifications, form of contract & estimate of cost for the 2020 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, Harding, Darrah, Sires, Taiber. Nay: None. Motion carried. The Mayor then declared Resolution #21,895 duly passed and adopted.

52704 - It was moved by Miller and seconded by deBuhr to receive and file a proclamation recognizing March 2, 2020 as Read Across Cedar Falls Day. Following a comment by Jim Skaine, 2215 Clay Street, the motion carried unanimously.

52705 - It was moved by Darrah and seconded by Kruse to approve the following recommendations of the Mayor relative to the appointment of members to Boards and Commissions:

- a) Julie Etheredge, Historic Preservation Commission, term ending 03/31/2023.
- b) Sally Timmer, Historic Preservation Commission, term ending 03/31/2023.

Following a comment by Jim Skaine, 2215 Clay Street, the motion carried unanimously.

52706 - It was moved by Darrah and seconded by Harding to receive and file the City Council Work Session minutes of February 17, 2020 relative to Public Safety Program Update. Following a comment by Jim Skaine, 2215 Clay Street, the motion carried unanimously.

52707 - It was moved by Miller and seconded by deBuhr to approve the following applications for beer permits and liquor licenses:

- a) Pheasant Ridge Golf Course, 3205 West 12th Street, Class B beer & outdoor service - renewal.
- b) The Hydrant Firehouse Grill, 2002 College Street, Class C liquor - renewal.
- c) Double Tap, 312 Main Street, Class C liquor - new.

Following a comment by Jim Skaine, 2215 Clay Street, the motion carried unanimously.

52708 - It was moved by Kruse and seconded by deBuhr that the following resolutions be introduced and adopted:

Resolution #21,896, approving and authorizing submission of the Iowa Certified Local Government (CLG) 2019 Annual Report of the Historic Preservation Commission to the State Historical Society of Iowa.

Resolution #21,897, approving a Highway Corridor and Greenbelt (HCG) Overlay Zoning District site plan for construction of a hotel at 7200 Nordic Drive.

Resolution #21,898, approving submission of an application to the Black Hawk County Metropolitan Area Transportation Policy Board (MPO) for Surface Transportation Block Grant (STBG) funding relative to the Main Street Reconstruction Project.

Resolution #21,899, approving and accepting the low bid, and approving and authorizing execution of a Rehabilitation Contract with Daniels Home Improvement, relative to a HOME housing rehabilitation project.

Resolution #21,900, receiving and filing the bids, and approving and accepting the low bid of Peterson Contractors, Inc., in the amount of \$1,019,447.57, for the 12th Street Reconstruction Project.

Resolution #21,901, approving and authorizing execution of four Owner Purchase Agreements, and approving and accepting four Temporary Construction Easements, in conjunction with the 12th Street Reconstruction Project.

Resolution #21,902, setting March 16, 2020 as the date of public hearing on a proposal to undertake a public improvement project for the Oak Park Sanitary Sewer Repair 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, Harding, Darrah, Sires, Taiber. Nay: None. Motion carried. The Mayor then declared Resolutions #21,896 through #21,902 duly passed and adopted.

- 52709 - It was moved by Darrah and seconded by Miller that Resolution #21,903, approving and adopting revised Rules of Procedure for the Board of Adjustment, be adopted. Following a question by Councilmember Harding and response by 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, Harding, Darrah, Sires, Taiber. Nay: None. Motion carried. The Mayor then declared Resolution #21,903 duly passed and adopted.
- 52710 - It was moved by Darrah and seconded by Miller that Resolution #21,904, approving and authorizing execution of an application to the Black Hawk County Metropolitan Area Transportation Policy Board (MPO) for Iowa's Transportation Alternatives Program (TAP) funding relative to the Lake Street Trail Project, be adopted. Following a question by Councilmember Miller and responses by Community Services Manager Howard and 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, Harding, Darrah, Sires, Taiber. Nay: None. Motion carried. The Mayor then declared Resolution #21,904 duly passed and adopted.
- 52711 - It was moved by deBuhr and seconded by Miller that Resolution #21,905, approving and authorizing execution of a Sturgis Falls Celebration Agreement for Use of City Parks and Services with Sturgis Falls Celebration, Inc., be adopted.

Following questions and comments by Councilmembers Taiber, Miller, Sires and Darrah and responses by Finance and Business Operations Director Rodenbeck and Public Works Director Schrage, the Mayor put the question on the motion and upon call of the roll, the following named Councilmembers voted. Aye: Miller, deBuhr, Kruse, Harding, Darrah, Sires, Taiber. Nay: None. Motion carried. The Mayor then declared Resolution #21,905 duly passed and adopted.

52712 - It was moved by Darrah and seconded by Miller that Resolution #21,906, approving the Certificate of Completion and accepting the work of Peterson Contractors, Inc. for the University Avenue Reconstruction Project, Phase 3, be adopted. Following a question by Councilmember Miller and response by Public Works Director Schrage, the Mayor put the question on the motion and upon call of the roll, the following named Councilmembers voted. Aye: Miller, deBuhr, Kruse, Harding, Darrah, Sires, Taiber. Nay: None. Motion carried. The Mayor then declared Resolution #21,906 duly passed and adopted.

52713 - It was moved by Miller and seconded by deBuhr to repass over Mayor's veto, Resolution #21,893, approving immediate implementation of the Public Safety Program including reorganization of the Public Safety Department. City Administrator Gaines and Mayor Green responded to questions by Councilmembers Harding, Darrah and Taiber.

The following individuals spoke in support of upholding the veto:

Whitney Smith, 2904 Neola Street
Leah Nordman, 927 West 14th Street
Bailey Chuckle, 9719 West Cedar Wapsi Road
Lea Ann Saul, 1825 West Greenhill Road
Penny Popp, 4805 South Main Street
Richard Hinz, 1219 Western Avenue
Jim Skaine, 2215 Clay Street
Kara Bigelow-Baker, 1826 Quail Run Lane
Thomas (T.J.) Frein, 1319 Austin Way
Jeremy Sulentic, 1008 Rocklyn Street
Kim Groninga, 1410 Hawthorne Drive
Joshua Sulentic, 1008 Rocklyn Street
Minette Bell Anderson, 2508 Union Road
Rosemary Beach, 5018 Sage Road
Jennifer Rasmussen, 3030 Grand Boulevard
Art Lupkes, 3227 Midway Drive
Linda Minikus, 1626 West Lone Tree Road
Marsha Buttgen, Waterloo
Debra Rhoades, 2603 Pleasant Drive
Meghan Kreimeyer, 3111 Carlton Drive
Greg Saul, 1825 West Greenhill Road
Jennie Hansel, 219 Angie Drive
Patricia Skiles, 2109 West 8th Street
Ben Smith, 2904 Neola Street
Cathy Pingel, 311 Angie Drive

The following individuals spoke in support of overriding the veto:

Ken Lockard, 1120 Lakeview Drive

Kelly Dunn, 915 Royal Drive

Public Safety Services Director Olson responded to a question by Steven Aries, 2728 Hiawatha Road, and City Administrator Gaines, Public Safety Services Director Olson and Mayor Green responded to additional questions and comments by Councilmembers.

Following a statement by Mayor Green and comments by Councilmembers Darrah and Miller, the Mayor put the question on the motion and upon call of the roll, the following named Councilmembers voted. Aye: Miller, deBuhr, Kruse, Darrah, Taiber. Nay: Harding, Sires. Motion carried. The Mayor then declared the veto of Resolution #21,893 overruled.

- 52714 - It was moved by Kruse and seconded by Darrah that the bills and payroll of March 2, 2020 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. Following questions by Jim Skaine, 2215 Clay Street, and Councilmember deBuhr, and responses 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, Harding, Darrah, Sires, Taiber. Nay: None. Motion carried.
- 52715 - It was moved by Darrah and seconded by Harding to refer to the Committee of the Whole a request for a city-sponsored fireworks display. Following clarification by Councilmember Taiber, the motion carried unanimously.
- 52716 - Public Works Director Schrage responded to comments by Councilmember Taiber regarding funding sources for future permeable alley projects.
- 52717 - Northern Iowa Student Government Liaison Rebecca Aberle announced upcoming events at the University of Northern Iowa.
- 52718 - Kelly Dunn, 915 Royal Drive, encouraged everyone to vote in the upcoming Special Election.

Penny Popp, 4805 South Main Street, and Emily Kerr, 2001 Hawthorne Drive, expressed their disappointment with Council action tonight.

Joshua Sulentic, 1008 Rocklyn Street, spoke about the effects of losing everything in a fire.

Jeremy Sulentic, 1008 Rocklyn Street, commented on mutual aid with surrounding communities.

- 52719 - It was moved by Kruse and seconded by Taiber that the meeting be adjourned at 9:55 P.M. Motion carried unanimously.