

**CITY HALL
CEDAR FALLS, IOWA, SEPTEMBER 16, 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 (via phone), Blanford, Darrah, Wieland, Green. Absent: None.

- 52493 - It was moved by Green and seconded by Miller that the minutes of the Regular Meeting of September 3, 2019 be approved as presented and ordered of record. Motion carried unanimously.

Mayor Brown read a proclamation declaring October 7-13, 2019 as Earth Science Week and BMC Aggregates Geologist Sherman Lundy and UNI Student Faith Luce commented. The 'Sunday at the Quarry' event will be held October 6th from 11AM-4PM at the BMC Aggregates' Morgan Quarry.

Mayor Brown read a proclamation declaring September 17-23, 2019 as Constitution Week and Barb Gregersen, member of the Cedar Falls Chapter of the Daughters of the American Revolution (DAR), spoke briefly and introduced fellow members Jeverna Mulligan and Deborah Crawford.

- 52494 - Mayor Brown announced that in accordance with the public notice of September 6, 2019, this was the time and place for a public hearing on a proposed amendment to the Future Land Use Map by changing the designation from Greenways/Floodplain and Neighborhood Commercial/Mixed Use to Low Density Residential for property located in the vicinity of 1700-2000 Union Road. 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.

- 52495 - The Mayor then asked if there were any written communications filed to the proposed amendment. Upon being advised that there were no written communications on file, the Mayor then called for oral comments. Planner III Sturch provided a brief summary of the proposed amendment. There being no one else present wishing to speak about the proposed amendment, the Mayor declared the hearing closed and passed to the next order of business.

- 52496 - It was moved by Blanford and seconded by Wieland that Resolution #21,703, amending the Future Land Use Map, by changing the designation from Greenways/Floodplain and Neighborhood Commercial/Mixed Use to Low Density Residential, for property located in the vicinity of 1700-2000 Union Road, 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 #21,703 duly passed and adopted.

- 52497 - Mayor Brown announced that in accordance with the public notice of September 6, 2019, this was the time and place for a public hearing on the proposed rezoning from A-1, Agricultural District, to R-1, Residential District, of property located in the vicinity of 1700-2000 Union Road. 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.
- 52498 - The Mayor then asked if there were any written communications filed to the proposed rezoning. Upon being advised that there were no written communications on file, the Mayor then called for oral comments. Planner III Sturch provided a brief summary of the proposed rezoning. Executive Officer of the Cedar Valley Home Builders Association Bob Manning, 2908 West 3rd Street, spoke in support of the proposed rezoning. There being no one else present wishing to speak about the proposed rezoning, the Mayor declared the hearing closed and passed to the next order of business.
- 52499 - It was moved by Green and seconded by Blanford that Ordinance #2955, amending Section 26-118 of the Code of Ordinances by removing property located in the vicinity of 1700-2000 Union Road from the A-1, Agricultural District, and placing the same in the R-1, Residence District, be passed upon its first consideration. Following a question by Councilmember Green and response by Planner III Sturch, 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.
- 52500 - It was moved by deBuhr and seconded by Darrah that Ordinance #2950, granting a partial property tax exemption to ACOH, LLC for construction of an industrial use manufacturing and office facility at 6601 Development Drive, be passed upon its third and final 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. The Mayor then declared Ordinance #2950 duly passed and adopted.
- 52501 - It was moved by Green and seconded by deBuhr that Ordinance #2952, granting a partial property tax exemption to FN Investors, LLC for construction of an industrial use lab and office facility at 3019 Venture Way, be passed upon its third and final 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. The Mayor then declared Ordinance #2952 duly passed and adopted.
- 52502 - It was moved by Darrah and seconded by Green that Ordinance #2954, amending Chapter 23, Traffic and Motor Vehicles, of the Code of Ordinances relative to 48-hour parking on city streets, 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.

52503 - It was moved by Green and seconded by Blanford that the following items and recommendations on the Consent Calendar be received, filed and approved:

Approve the recommendation of the Mayor relative to the appointment of Amanda Lynch to the Planning & Zoning Commission, term ending 11/01/2020.

Receive and file the Committee of the Whole minutes of September 3, 2019 relative to the following items:

- a) Planning & Zoning Commission Interview - Amanda Lynch.
- b) Bills & Payroll.

Receive and file the FY19 Annual Report of the Public Works & Parks Division.

Approve the following applications for beer permits and liquor licenses:

- a) Metro Mart, 103 Franklin Street, Class C beer - renewal.
- b) Just Dough, 6607 University Avenue, Class B beer - renewal.
- c) Escapology Cedar Falls, 2518 Melrose Drive, Special Class C liquor - renewal.
- d) Doughy Joey's Peetza Joynt, 126 Brandilynn Boulevard, Class C liquor & outdoor service - renewal.
- e) Little Bigs, 2210 College Street, Class C liquor - renewal.
- f) The Brass Tap, 421 Main Street, Class C liquor & outdoor service - renewal.
- g) The Landmark, 107 Main Street, Class C liquor & outdoor service - renewal.
- h) Casey's General Store, 1225 Fountains Way, Class E liquor - renewal.

Motion carried unanimously.

52504 - It was moved by Miller and seconded by Darrah that the following resolutions be introduced and adopted:

Resolution #21,704, approving and authorizing submission of the City's FY19 Official Financial Report for Streets.

Resolution #21,705, approving and authorizing execution of an Integrated Supply Agreement with Motor Parts & Equipment Corporation, d/b/a NAPA Auto Parts - Waterloo, relative to a Vendor Managed Inventory (VMI) Parts Management Program at the Fleet Maintenance Facility.

Resolution #21,706, approving and authorizing execution of a Yard Waste Management Service Agreement with T&W Grinding relative to management of the City's compost facility.

Resolution #21,707, approving and authorizing execution of a Professional Service Agreement with Black & Veatch Corporation for Wastewater Treatment Alternative Evaluation.

Resolution #21,708, approving and authorizing execution of a Joint Funding

Agreement with the U.S. Geological Survey relative to the Cedar River Streamgauge Station.

Resolution #21,709, approving and authorizing execution of Supplemental Agreement No. 1A to the Professional Service Agreement with Clapsaddle-Garber Associates for construction observation and testing services relative to Gateway Business Park.

Resolution #21,710, approving and authorizing execution of a Professional Service Agreement with Foth Infrastructure & Environment, LLC relative to the 2019 University Avenue Traffic Counts Project.

Resolution #21,711, approving and authorizing execution of a License Agreement with ARVIG Enterprises Inc. relative to installing a fiber optic telecommunications system within the Cedar Heights Drive and Greenhill Road public right-of-way.

Resolution #21,712, approving a College Hill Neighborhood Overlay Zoning District site plan for façade improvements at 2211 College Street.

Resolution #21,713, approving a Professional Office (PO-1) Zoning District site plan for signage at 915 Hudson Road.

Resolution #21,714, approving and authorizing execution of a Professional Service Agreement with Foth Infrastructure and Environment, LLC relative to the Center Street Corridor Streetscape Project.

Resolution #21,715, approving and authorizing execution of an amended HOME Investment Partnership Program Consortium Cooperation Agreement with the City of Waterloo for FY2020-2022.

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 #21,704 through #21,715 duly passed and adopted.

52505 - It was moved by deBuhr and seconded by Wieland that Resolution #21,716, approving and accepting the contract and bond of Feldman Concrete for the 2019 Sidewalk Assessment Project, Zone 2, be adopted. Following a question by Councilmember Green 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, Blanford, Darrah, Wieland, Green. Nay: None. Motion carried. The Mayor then declared Resolution #21,716 duly passed and adopted.

52506 - It was moved by Darrah and seconded by Miller that Resolution #21,717, approving a Central Business District Overlay Zoning District site plan for façade improvements at 311 Main Street, as recommended by the Planning & Zoning

Commission, be adopted. Following questions by Councilmembers Miller, Kruse, Green, Darrah, deBuhr and Wieland, and responses 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, Darrah, Wieland, Green. Nay: None. Motion carried. The Mayor then declared Resolution #21,717 duly passed and adopted.

- 52507 - It was moved by Blanford and seconded by Miller that Resolution #21,718, approving a College Hill Neighborhood Overlay Zoning District site plan for multiple temporary mural installations in the College Hill Business District, be adopted. Following comments of support for the proposed project by College Hill Partnership Executive Director Kathryn Sogard, 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 #21,718 duly passed and adopted.
- 52508 - It was moved by Darrah and seconded by Green that Ordinance #2956, amending Chapter 19, Streets and Sidewalks, of the Code of Ordinances relative to monument mailboxes, be passed upon its first consideration. City Attorney Rogers expressed concerns with the proposed ordinance and responded to questions by Councilmembers Blanford and deBuhr. The Mayor then put the question on the motion and upon call of the roll, the following named Councilmembers voted. Aye: Miller, Kruse, Blanford, Darrah, Green. Nay: deBuhr, Wieland. Motion carried.
- 52509 - It was moved by Darrah and seconded by deBuhr that the bills and payroll of September 16, 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.
- 52510 - Community Development Director Sheetz announced that the University Avenue Reconstruction Project will be receiving its fourth award. This award will be received in October from the Iowa Chapter of American Public Works Association who chose this as 'The Project of the Year' in the transportation category.

Community Development Director Sheetz also announced an open house to present the Imagine Downtown Vision Plan to be held September 25th, beginning at 6:30 PM at City Hall.

Fire Chief Bostwick and Assistant Police Chief Berte announced kickoff of the Pink Ribbon Campaign and the sale of pink police and fire patches, with all proceeds going to the Beyond Pink TEAM.

Public Safety Services Director Olson provided clarification of how the public safety model works in regard to staffing and responses to fire calls. He also commented that the Insurance Service Organization (ISO) rating of 3 recognized the increased staffing of the public safety model.

52511 - Mayor Brown responded to County Veterans Affairs Commissioners Glen Keith, 609 Olive Street, and Jeremy Rosel, 911 Lilac Lane, who spoke opposed to establishing a City Veterans Affairs office in Cedar Falls.

Public Safety Services Director Olson responded to concerns expressed by Charles Johnson, 1003 State Street, regarding traffic and speeding on State Street.

Public Safety Services Director Olson responded to comments by Jessica Wittenburg, 4319 Wynnewood Drive, and Thomas (TJ) Frein, 1319 Austin Way, and questions by Councilmember Darrah and Mayor Brown regarding firefighter staffing and responses of public safety officers.

Community Development Director Sheetz responded to concerns expressed by Thomas (TJ) Frein, 1319 Austin Way, regarding increased parking along the new Place to Play Park.

Councilmembers Wieland, Green, Miller and Darrah, Public Safety Services Director Olson, Mayor Brown and City Attorney Rogers responded to comments by Mike Butler, 1022 Washington Street, Sharon Regenold, 108 Lilliput Lane, and Whitney Smith, 2904 Neola Street, regarding councilmembers publicly discussing personnel issues.

52512 - It was moved by Wieland and seconded by Kruse that the meeting be adjourned at 8:17 P.M. Motion carried unanimously.

Jacqueline Danielsen, MMC, City Clerk