

**CITY HALL  
CEDAR FALLS, IOWA, NOVEMBER 5, 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, Darrah, Wieland, Green. Absent: None.

- 52084 - It was moved by Kruse and seconded by Miller that the minutes of the Regular Meeting of October 15, 2018 be approved as presented and ordered of record. Motion carried unanimously.
- 52085 - It was moved by Blanford and seconded by Wieland that Ordinance #2932, granting a partial property tax exemption to Standard Distribution Co. for construction of a warehouse addition at 317 Savannah Park Drive, be passed upon its third and final consideration. 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 #2932 duly passed and adopted.
- 52086 - It was moved by Darrah and seconded by Kruse that Ordinance #2933, amending Section 29-107 of the Code of Ordinances by removing property located in the southwest corner of Highway 58 and West Ridgeway Avenue from A-1, Agricultural District, and placing the same in HWY-1, Highway Commercial District, subject to certain conditions, be passed upon its third and final consideration. 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 #2932 duly passed and adopted.
- 52087 - It was moved by Green and seconded by Kruse that Resolution #21,304, approving a Highway 20 Commercial Corridor Overlay Zoning District site plan for construction of a retail and convenience store to be located in the southwest corner of Highway 58 and West Ridgeway Avenue, subject to certain conditions, be adopted. Following questions by Councilmembers deBuhr and Darrah, and responses by City Engineer Resler and 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 #21,304 duly passed and adopted.
- 52088 - It was moved by Miller and seconded by Blanford that action on a proposed ordinance amending Section 29-107 of the Code of Ordinances by removing property located at the north end of Lakeshore Drive from A-1, Agricultural District, and placing the same in R-1, Residence District, be deferred. Following a brief explanation by Community Development Director Sheetz, a question by Councilmember Green and comment by Chris Borglum, 3002 Alice Avenue, the motion to defer carried unanimously.

52089 - It was moved by Green and seconded by Kruse that the following items and recommendations on the Consent Calendar be received, filed and approved:

Approve the recommendation of the Mayor relative to the temporary reappointment of Brian Arntson to the Planning & Zoning Commission, term ending 11/30/2018.

Receive and file the Committee of the Whole minutes of October 15, 2018 relative to the following items:

- (1) Community Main Street Presentation.
- (2) College Hill Partnership Presentation.
- (3) Bicycle & Pedestrian Advisory Committee Presentation.
- (4) Bills & Payroll.

Receive and file communications from the Civil Service Commission relative to certified lists for the following positions:

- (1) Land Surveyor.
- (2) Maintenance Worker.
- (3) Planner II.

Receive and file Departmental Monthly Reports of September 2018.

Receive and file the Bi-Annual Report of Community Main Street relative to FY19 Self-Supported Municipal Improvement District (SSMID) Funds & an FY19 Economic Development Grant.

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.

Approve a request for a street closure on Viking Road on November 22, 2018.

Approve the following applications for beer permits and liquor licenses:

- (1) Casey's General Store, 5908 Nordic Drive, Class C beer & Class B wine - renewal.
- (2) Clarion Inn, 5826 University Avenue, Class B liquor - renewal.
- (3) Figaro Figaro, 419 Main Street, Class C Liquor & outdoor service - renewal.
- (4) Tony's La Pizzeria, 407 Main Street, Class C liquor & outdoor service - renewal.

Motion carried unanimously.

52090 - It was moved by Darrah and seconded by Kruse that the following resolutions be introduced and adopted:

Resolution #21,305, authorizing certification of eligible expenses for reimbursement from the Downtown, College Hill, Pinnacle Prairie and Unified Tax Increment Financing Revenues.

Resolution #21,306, approving and authorizing an inter-fund loan from the Tax Increment Financing (TIF) Bond Fund to the Tax Increment Financing (TIF) Fund relative to funding for the Prairie Parkway & Viking Road Signalization Project in the

Pinnacle Prairie Urban Renewal Area.

Resolution #21,307, approving and authorizing an inter-fund loan from the Tax Increment Financing (TIF) Bond Fund to the Tax Increment Financing (TIF) Fund relative to funding for legal fees and incentive payments in the Downtown Urban Renewal Area.

Resolution #21,308, approving and authorizing an inter-fund loan from the Tax Increment Financing (TIF) Bond Fund to the Tax Increment Financing (TIF) Fund relative to funding for Highway 58 Corridor Improvements, Industrial Park Street Patching, and administrative and legal fees related to the Unified Urban Renewal Area.

Resolution #21,309, approving and authorizing an inter-fund loan from the General Fund to the Tax Increment Financing (TIF) Fund relative to funding for personnel costs to support the Unified Urban Renewal projects and planning in the Unified Urban Renewal Area.

Resolution #21,310, approving and authorizing an inter-fund loan from the Economic Development Fund to the Tax Increment Financing (TIF) Fund relative to funding for the purchase of land in the Unified Urban Renewal Area.

Resolution #21,311, approving and authorizing an inter-fund loan from the Street Improvement Fund to the Tax Increment Financing (TIF) Fund relative to funding for the University Avenue Reconstruction Project - Phase 3 in the Unified Urban Renewal Area.

Resolution #21,312, approving and authorizing submission of the City's FY18 Annual Urban Renewal Report.

Resolution #21,313, approving and authorizing execution of a replacement Quit Claim Deed conveying title to a portion of vacated alley located in Lincoln Park Addition to Michael and Jeanette Geisler.

Resolution #21,314, approving and authorizing execution of an FY19 Cooperative Agreement with the Iowa Civil Rights Commission.

Resolution #21,315, renaming Cedar Falls Recreation and Community Center to Recreation and Fitness Center.

Resolution #21,316, approving and accepting a Permanent Utility Easement, in conjunction with the University Avenue Reconstruction Project - Phase 2.

Resolution #21,317, approving and authorizing execution of twenty Owner Purchase Agreements and fifteen Tenant Purchase Agreements, and approving and accepting one Warranty Deed, nineteen Owner's Temporary Grading Easements and six Public Utility Easements, in conjunction with the West 1st Street Reconstruction Project.

Resolution #21,318, approving and authorizing execution of Supplemental

Agreement No. 3 to the Standard Consultant Contract with IIW, P.C. for construction engineering services relative to the West 20th Street Bridge Replacement Project.

Resolution #21,319, approving the partial release of retainage funds to S.M. Hentges & Sons, Inc. for the Dry Run Creek Sanitary Sewer Improvements Project, Phase 2.

Resolution #21,320, approving the Certificate of Completion and accepting the work of Peterson Contractors, Inc. for the Greenhill Road Extension Project.

Resolution #21,321, approving and authorizing execution of a Storm Water Maintenance and Repair Agreement with Redeemer Church relative to a post-construction stormwater management plan for 815 Orchard Drive.

Resolution #21,322, approving and authorizing execution of a Storm Water Maintenance and Repair Agreement with FN Investors, LLC relative to a post-construction stormwater management plan for 3019 Venture Way.

Resolution #21,323, approving and authorizing execution of a Storm Water Maintenance and Repair Agreement with Cedar Brook Dental Group relative to a post-construction stormwater management plan for 9219 University Avenue.

Resolution #21,324, approving and authorizing execution of a Storm Water Maintenance and Repair Agreement with Ice Investments, LLC relative to a post-construction stormwater management plan for 3201 Venture Way.

Resolution #21,325, approving and authorizing execution of a Storm Water Maintenance and Repair Agreement with SCD Real Estate, LLC relative to a post-construction stormwater management plan for 1225 Rail Way.

Resolution #21,326, approving and authorizing execution of a Professional Service Agreement with AECOM Technical Services, Inc. for engineering services relative to the Downtown 100 Block Alley Reconstruction Project.

Resolution #21,327, approving and authorizing execution of Supplemental Agreement No. 1 to the Professional Service Agreement with Snyder & Associates, Inc. relative to the West 1st Street Reconstruction Project.

Resolution #21,328, approving the final plat of Autumn Ridge Eighth Addition.

Resolution #21,329, approving a Highway Corridor and Greenbelt (HCG) Overlay Zoning District site plan for signage on Lot 1 of East Viking Plaza.

Resolution #21,330, approving a Central Business District Overlay Zoning District site plan for façade improvements at 321 Main Street.

Resolution #21,331, approving and authorizing execution of an Offer to Buy Real Estate and Acceptance for 126.07 acres, more or less, of real estate owned by Lois Rieger, John Rieger, Rick Rieger, and Steven Rieger relative to expansion of the West Viking Road Industrial Park.

Resolution #21,332, approving and authorizing execution of a Preconstruction Agreement for Primary Road Project with the Iowa Department of Transportation relative to the West 1st Street Reconstruction 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, Blanford, Darrah, Wieland, Green. Nay: None. Motion carried. The Mayor then declared Resolutions #21,305 through #21,332 duly passed and adopted.

52091 - It was moved by Miller and seconded by deBuhr that Resolution #21,333, approving and accepting completion of public improvements in Autumn Ridge Eighth Addition, be adopted. Following comments by Jenny Van Dorn, 4124 Thresher Court Unit 304, a question by Councilmember Kruse, and response by Civil Engineer I 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 #21,333 duly passed and adopted.

52092 - It was moved by Blanford and seconded by Wieland that Resolution #21,334, approving and authorizing execution of an Oxbow Restoration Agreement with The Nature Conservancy relative to the Dry Run Creek Oxbow Restoration Project, be adopted. Following comments by Penny Popp, 4805 South Main Street, 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 #21,334 duly passed and adopted.

52093 - It was moved by Kruse and seconded by deBuhr 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, Darrah, Wieland, Green. Nay: None. Motion carried.

52094 - It was moved by Wieland and seconded by Green 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, Darrah, Wieland, Green. Nay: None. Motion carried.

52095 - Mayor Brown read a statement in response to a request for a Public Forum to discuss the Public Safety Officer (PSO) program.

The following individuals presented general comments and concerns about the Public Safety Officer (PSO) program:

Jeffrey Schmidt, 2324 Grundy Road

Larry Herzog, 1604 Baltimore, Waterloo (Controller at Standard Distribution Company, 317 Savannah Park Road)  
Ryan Howard, 1029 Amelia Drive #3  
Richard Hinz, 1219 Western Avenue

The following individuals spoke in support of the Public Safety Officer (PSO) program:

Kent Larsen, 4928 Quesada Avenue  
Chris Harshbarger, formerly 3614 Beaver Ridge Circle (fire destroyed home)  
Mark G. Miller, 2929 Waterbury Drive

The following individuals spoke in opposition to the Public Safety Officer (PSO) program:

Kathleen Kerr, 3003 Winter Ridge Lane  
Jeremy Sulentic and son Joshua Sulentic, 1008 Rocklyn Street  
Kevin Krogh, 5051 Nordic Drive  
Tanya Geffert, 3701 Beaver Ridge Circle  
Andrea Southall, 9020 Beaver Meadows Lane  
Linda Hall, 3917 Beaver Ridge Circle  
Jenny Van Dorn, 4124 Thresher Court, Unit 304  
Art Lupkes, 3227 Midway Drive  
Sharon Regenold, 108 Lilliput Lane  
Dustin Ganfield, 726 Maucker Road  
Mike Tully, President/CEO Aerial Services, 6315 Chancellor Drive  
Sarah Langel, 1312 Windsor Drive  
Mark Woolbright, Vice President International Association of Firefighters representative, Washington, DC

Public Safety Services Director Olson responded to questions by Councilmembers Miller and Green and questions asked during public forum regarding the Public Safety Officer (PSO) program.

Councilmember Wieland spoke about cost savings ideas and research done prior to implementing the Public Safety Officer (PSO) program, and Mayor Brown read a final statement.

The City Council adjourned to Executive Session at 9:34 P.M.

Mayor Brown reconvened the Council Meeting at 10:01 P.M. and stated that Property Acquisition had been discussed but that no further action was required at this time.

52096 - It was moved by Green and seconded by Kruse that the meeting be adjourned at 10:02 P.M. Motion carried unanimously.

---

Jacqueline Daniels, MMC, City Clerk