

**CITY HALL
CEDAR FALLS, IOWA, FEBRUARY 17, 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 7:35 P.M. on the above date. Members present: Miller, deBuhr, Kruse, Harding, Darrah, Sires, Taiber. Absent: None.

- 52674 - It was moved by Darrah and seconded by Kruse that the minutes of the Regular Meeting of February 3, 2020 be approved as presented and ordered of record. Motion carried unanimously.
- 52675 - Mayor Green announced that in accordance with the public notice of February 5, 2020, this was the time and place for a public hearing on the proposed FY2021 Budget for the City of Cedar Falls. 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.
- 52676 - The Mayor then asked if there were any written communications filed to the proposed Budget. Upon being advised that there were no written communications on file, the Mayor then called for oral comments. Finance and Business Operations Director Rodenbeck provided a brief summary of the proposed Budget and Rick Sharp, 1623 Birch Street, commented briefly and had additional questions regarding 411 pensions. There being no one else present wishing to speak about the proposed Budget, the Mayor declared the hearing closed and passed to the next order of business.
- 52677 - It was moved by Darrah and seconded by Miller that Resolution #21,875, approving and adopting the FY2021 Budget for the City of Cedar Falls, be adopted. Following responses by Councilmembers Kruse and Taiber to the previous speaker, 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 #21,875 duly passed and adopted.
- 52678 - Mayor Green announced that in accordance with the public notice of February 7, 2020, this was the time and place for a public hearing on the proposed plans, specifications, form of contract & estimate of cost for the 12th Street Reconstruction Project. It was then moved by Darrah and seconded by Kruse that the proof of publication of notice of hearing be received and placed on file. Motion carried unanimously.
- 52679 - 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.

52680 - It was moved by Miller and seconded by Kruse that Resolution #21,876, approving and adopting the plans, specifications, form of contract & estimate of cost for the 12th Street Reconstruction Project, be adopted. Following questions by Councilmember Kruse and response by Principal Engineer Fitch, 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 #21,876 duly passed and adopted.

52681 - It was moved by Harding and seconded by Kruse that the following items and recommendations on the Consent Calendar be received, filed and approved:

Receive and file a proclamation recognizing February 14, 2020 as the 19th Amendment Centennial Kick-Off Day.

Receive and file a proclamation recognizing February 19, 2020 as Community Main Street Volunteer Appreciation Day.

Receive and file the Committee of the Whole minutes of February 3, 2020 relative to the following items:

- a) FY21 Budget.
- b) Bills & Payroll.

Receive and file the City Council Work Session minutes of February 3, 2020 relative to Northern Cedar Falls Drainage Study.

Receive and file the Administration Committee minutes of February 5, 2020 relative to a hearing to consider the appeal of an employee grievance denial.

Receive and file a Petition Requesting Special Election to fill a vacancy in the office of Council Member At Large.

Approve the following applications for liquor licenses:

- a) College Square Cinema, 6301 University Avenue, Special Class C liquor - renewal.
- b) Chad's Pizza and Restaurant, 909 West 23rd Street, Class C liquor & outdoor service - renewal.
- c) Panther Lounge, 210 East 18th Street, Class C liquor - renewal.
- d) Hy-Vee Tasting Room, 6301 University Avenue, Special Class C liquor - change in ownership.

Motion carried unanimously.

52682 - It was moved by Darrah and seconded by deBuhr to receive and file the 2019 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. Following annual report highlights by Cedar Falls Bicycle and

Pedestrian Advisory Committee representative Andrew Shroll, 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.

52683 - It was moved by Kruse and seconded by deBuhr that the following resolutions be introduced and adopted:

Resolution #21,877, levying a final assessment for costs incurred by the City to clean up the property located at 1704 Parker Street.

Resolution #21,878, levying a final assessment for costs incurred by the City to clean up the property located at 804-804 1/2 Seerley Boulevard.

Resolution #21,879, approving six occupancy permits prior to the acceptance of public improvements in Prairie Winds 4th Addition, as recommended by city staff.

Resolution #21,880, approving a Claim for Non-Residential Relocation Assistance Reimbursement, in conjunction with the West 1st Street Reconstruction Project.

Resolution #21,881, approving and authorizing execution of a Storm Water Maintenance and Repair Agreement with The Cedar Falls Gospel Hall Association relative to a post-construction storm water management plan for Lot 367 in S.A. Bishop's Replat of a part of Pacific Addition.

Resolution #21,882, approving and accepting the contract and bond of K. Cunningham Construction Company, Inc., relative to the Downtown Streetscape and Reconstruction Project.

Resolution #21,883, approving and authorizing execution of a Professional Service Agreement with Terracon Consultants, Inc. to complete an Iowa DNR Tier 1 Report, in conjunction with the West 1st Street Reconstruction Project.

Resolution #21,884, approving and authorizing execution of Supplemental Agreement No. 1 to the Professional Service Agreement with Terracon Consultants, Inc. for an extension of the 2019 Construction Testing Services through the 2021 construction season.

Resolution #21,885, approving and authorizing execution of a Professional Service Agreement with Foth Infrastructure & Environment, LLC relative to the 2020 Bridge Inspection Project.

Resolution #21,886, approving and authorizing execution of a Professional Service Agreement with Foth Infrastructure & Environment, LLC relative to the West 27th Street Corridor Study-Hudson Road to Union Road.

Resolution #21,887, receiving and filing, and setting March 2, 2020 as the date of public hearing on, the proposed plans, specifications, form of contract & estimate of cost for the 2020 Permeable Alley Project.

Resolution #21,888, receiving and filing, and setting March 2, 2020 as the date of public hearing on, the proposed plans, specifications, form of contract & estimate of cost for the 2020 Street Construction 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 #21,877 through #21,888 duly passed and adopted.

52684 - It was moved by Miller and seconded by Harding that Resolution #21,889, calling for a Special Election to fill the vacancy for the office of City Council At Large, be adopted. Following questions by Councilmembers Miller and deBuhr and responses 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 #21,889 duly passed and adopted.

52685 - It was moved by Darrah and seconded by Miller that Resolution #21,890, approving and adopting the FY2021 City Council Goals & Objectives, be adopted. Councilmember Sires commented briefly.

Councilmember Harding then motioned to remove the Public Safety Officer section. Following comments by Mayor Green, Councilmember Harding withdrew his motion.

The Mayor then put the question on the original motion and upon call of the roll, the following named Councilmembers voted. Aye: Miller, deBuhr, Kruse, Darrah, Taiber. Nay: Harding, Sires. Motion carried 5-2. The Mayor then declared Resolution #21,890 duly passed and adopted.

52686 - It was moved by deBuhr and seconded by Taiber that Resolution #21,891, approving and authorizing execution of a Consolidated Public Safety Communications 28E Agreement with participating government agencies in Black Hawk County relative to providing consolidated dispatch and communications services, be adopted. Following questions by Councilmembers deBuhr, Kruse and Taiber and responses by Public Safety Services Director Olson, 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 #21,891 duly passed and adopted.

52687 - It was moved by Darrah and seconded by Miller that Resolution #21,892, approving and authorizing execution of an Agreement with River Place Properties, LC relative to conveyance of certain real estate back to the City, be adopted. Following a question by Councilmember Sires and responses by Community Development Director Sheetz and Developer Mark Kittrell, 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 #21,892 duly passed and adopted.

- 52688 - It was moved by Kruse and seconded by Miller that the bills and payroll of February 17, 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. Upon call of the roll, the following named Councilmembers voted. Aye: Miller, deBuhr, Kruse, Harding, Darrah, Sires, Taiber. Nay: None. Motion carried.
- 52689 - It was moved by Miller and seconded by Darrah to refer to the Committee of the Whole, on behalf of Community Main Street, a request to discuss eliminating Downtown area parking enforcement on Saturdays. The motion carried unanimously.
- 52690 - Councilmember Darrah thanked Carol Lilly for her work as the Community Main Street Director.
- 52691 - Northern Iowa Student Government Liaison Rebecca Aberle announced upcoming events happening at the University of Northern Iowa.
- 52692 - Rick Sharp, 1623 Birch Street, commented on the right to vote, fireworks on July 4th and pension benefits. Mayor Green responded after an additional fireworks question by Councilmember Kruse.

LeaAnn Saul, 1825 West Greenhill Road, had questions and comments on rental of City facilities to political parties and expressed disappointment in the vote during the City Council Work Session on February 17, 2020. City Attorney Rogers and Mayor Green responded to questions by Ms. Saul and an additional question by Councilmember Kruse regarding the practice of not renting City facilities to political parties.

Thomas (T.J.) Frein, 1319 Austin Way, had questions on the Calls for Service statistics and expressed his displeasure with the upcoming Special Council Meeting on February 20, 2020.

- 52693 - It was moved by Kruse and seconded by Darrah that the meeting be adjourned at 8:18 P.M. Motion carried unanimously.

Jacqueline Danielsen, MMC, City Clerk