

**CITY HALL
CEDAR FALLS, IOWA, OCTOBER 21, 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, Blanford, Darrah, Green. Absent: Wieland.

- 52526 - It was moved by Kruse and seconded by Miller that the minutes of the Regular Meeting of October 7, 2019 be approved as presented and ordered of record. Motion carried unanimously.

The Mayor then read a proclamation declaring October 24, 2019 as World Polio Day and Cedar Valley Rotary Club President Eashaan Vajpeyi commented and invited everyone to 'Dine Out' on October 23rd at several local restaurants that have pledged to help raise funds for this effort.

The Mayor then read a proclamation declaring October 20-26, 2019 as Friends of Libraries Week. Library Director Stern commented about Library programs offered throughout the year that are funded by this organization.

The Mayor then recognized his daughter Annie's birthday.

Public Safety Services Director Olson provided introductions of new Public Safety Officer Tryston Adelmund and Part-Time Firefighter Krystal Tucker (unable to attend), and Mayor Brown proceeded with the Administration of Oath to new Public Safety Officer Tryston Adelmund.

- 52527 - Mayor Brown announced that in accordance with the public notice of October 11, 2019, this was the time and place for a public hearing on a proposed ordinance granting a partial property tax exemption to Broadstone BCI Iowa, L.L.C. for construction of an industrial use warehouse and production facility at 2900 Capital Way. It was then moved by Miller and seconded by Blanford that the proof of publication of notice of hearing be received and placed on file. Motion carried unanimously.
- 52528 - The Mayor then asked if there were any written communications filed to the proposed exemption. Upon being advised that there were no written communications on file, the Mayor then called for oral comments. Economic Development Coordinator Graham commented briefly. There being no one else present wishing to speak about the proposed exemption, the Mayor declared the hearing closed and passed to the next order of business.
- 52529 - It was moved by Green and seconded by Blanford that Ordinance #2958, granting a partial property tax exemption to Broadstone BCI Iowa, L.L.C. for construction of an industrial use warehouse and production facility at 2900

Capital Way, be passed upon its first 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, Green. Nay: None. Motion carried.

- 52530 - It was moved by Kruse and seconded by deBuhr 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 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, Green. Nay: None. Motion carried. The Mayor then declared Ordinance #2955 duly passed and adopted.
- 52531 - It was moved by Kruse and seconded by Blanford that Ordinance #2956, amending Chapter 19, Streets and Sidewalks, of the Code of Ordinances relative to monument mailboxes, 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, Kruse, Blanford, Darrah, Green. Nay: deBuhr. Motion carries 5-1. The Mayor then declared Ordinance #2956 duly passed and adopted.
- 52532 - It was moved by Kruse and seconded by Green that Ordinance #2957, amending Chapter 23, Traffic and Motor Vehicles, of the Code of Ordinances relative to establishing a 35 miles per hour speed limit on Ridgeway Avenue from Hudson Road east to Iowa Highway 58, 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, Green. Nay: None. Motion carried.
- 52533 - It was moved by Blanford and seconded by Darrah that the following items and recommendations on the Consent Calendar be received, filed and approved:

Receive and file the Committee of the Whole minutes of October 7, 2019 relative to the following items:

- a) Census Update.
- b) Creekside Technology Center Master Plan.
- c) Bills & Payroll.

Receive and file the Bi-Annual Report of Community Main Street relative to FY20 Self-Supported Municipal Improvement District (SSMID) Funds and an FY20 Economic Development Grant.

Receive and file the Bi-Annual Report of College Hill Partnership relative to FY20 Self-Supported Municipal Improvement District (SSMID) Funds and an FY20 Economic Development Grant.

Approve the following applications for beer permits and liquor licenses:

- a) Aldi Inc., 6322 University Avenue, Class C beer & Class B wine - renewal.
- b) Pablo's Mexican Grill, 310 Main Street, Class B beer - renewal.
- c) Fareway Store, 4500 South Main Street, Class E liquor - renewal.
- d) Fleet Farm, 108 West Ridgeway Avenue, Class C beer & Class B wine - new.
- e) Fleet Farm, 400 West Ridgeway Avenue, Class C beer & Class B wine - new.

Motion carried unanimously.

52534 - It was moved by Kruse and seconded by Green that the following resolutions be introduced and adopted:

Resolution #21,739, of support for Community Main Street, Inc., and approving and authorizing execution of a Main Street Iowa Program Agreement with Community Main Street Inc. and the Iowa Economic Development Authority for the purpose of continuing the Main Street Program in Cedar Falls.

Resolution #21,740, approving and authorizing execution of an Agreement for the Use of State or Local Overtime and Authorized Expense/Strategic Initiative Program for Organized Crime Drug Enforcement Task Forces (OCDETF) for FY2020.

Resolution #21,741, approving and authorizing execution of Supplemental Agreement No. 1 to the Professional Service Agreement with Snyder & Associates, Inc. relative to the Cedar Heights Drive Reconstruction Project-Viking Road to Greenhill Road.

Resolution #21,742, approving and authorizing execution of a Storm Water Maintenance and Repair Agreement with James V. Sands relative to a post-construction stormwater management plan for Lot 6 of Prairie Springs U.M.C. Minor Plat.

Resolution #21,743, approving and authorizing execution of Supplemental Agreement No. 10 to the Professional Service Agreement with Snyder & Associates, Inc. for 2019 Engineering Services relative to the West Viking Road Reconstruction Project-Production Drive to South Union Road.

Resolution #21,744, approving and authorizing execution of Supplemental Agreement No. 11 to the Professional Service Agreement with Snyder & Associates, Inc. for 2019 Engineering Services relative to Floodwall/Levee System Record Drawing Services.

Resolution #21,745, approving and accepting completion of public improvements in Wild Horse Ridge Fourth Addition.

Resolution #21,746, approving a Central Business District Overlay Zoning District site plan for façade improvements at 116 West 4th Street.

Resolution #21,747, approving and authorizing execution of an Addendum to Developmental Procedures Agreement with Greenhill Estates, Inc. relative to

public improvements in the vicinity of the Greenhill Road and Coneflower Parkway intersection.

Resolution #21,748, approving the final plat of Wild Horse Ridge Fourth Addition.

Resolution #21,749, approving the preliminary plat of The Pointe at Henry Farms.

Resolution #21,750, approving the final plat of The Pointe at Henry Farms.

Resolution #21,751, approving and accepting a Storm Water Easement Agreement, and approving and authorizing execution of a Storm Water Maintenance and Repair Agreement with Vereit Real Estate L.P., relative to a post-construction stormwater management plan for 400 West Ridgeway Avenue.

Resolution #21,752, approving the Creekside Technology Center Master Plan.

Resolution #21,753, approving and authorizing execution of a Contract for Economic Development Website Services with Brand Acceleration, Inc.

Resolution #21,754, approving and authorizing execution of six Agreements for Professional Services relative to use of Community Development Block Grant (CDBG) funds, in conjunction with the FY19-20 Annual Action Plan.

Resolution #21,755, setting November 4, 2019 as the date of public hearing on a proposed lease with the Black Hawk County Conservation Board relative to City-owned property at 1501 East Lake Street.

Resolution #21,756, receiving and filing, and setting November 4, 2019 as the date of public hearing on, the proposed plans, specifications, form of contract & estimate of cost for the 2019 Sanitary Sewer Rehabilitation 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, Green. Nay: None. Motion carried. The Mayor then declared Resolutions #21,739 through #21,756 duly passed and adopted.

52535 - It was moved by Miller and seconded by Kruse that the bills and payroll of October 21, 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, Green. Nay: None. Motion carried.

52536 - Public Safety Services Director Olson provided an update and clarified emergency response information regarding a recent accident on Greenhill Road.

The Mayor then recognized Boy Scouts in attendance at the meeting.

52537 - It was moved by Kruse and seconded by Darrah to adjourn to Executive Session to discuss Legal Matters per Iowa Code Section 21.5(1)(c) to discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation, following Public Forum. Upon call of the roll, the following named Councilmembers voted. Aye: Miller, deBuhr, Kruse, Blanford, Darrah, Green. Nay: None. Motion carried.

52538 - Public Works Director Schrage responded to a question by Tracie Sulentic, 1008 Rocklyn Street, regarding water runoff from nearby fields and basement flooding.

Penny Popp, 4805 South Main Street, provided a rebuttal regarding a response from her previous comments related to ex parte communications on City Council matters.

Public Safety Services Director Olson and Finance and Business Operations Director Rodenbeck responded to questions by Darren Yoder, 3919 Beaver Ridge Trail, regarding the Insurance Service Office (ISO) rating and the public safety budget.

Director Olson and Councilmember Kruse responded to comments by Thomas (TJ) Frein, 1319 Austin Way, regarding the organizational chart, law enforcement assistance and the process of hiring ahead. Olson also responded to Councilmember Miller's request for clarification on 28E agreements with surrounding communities.

Director Olson responded to comments by Genny Van Dorn, 4124 Thresher Court Unit 304, regarding fire promotions, and questions by Councilmember Green regarding removal of fire helmet cameras.

Councilmember Kruse and Director Olson responded to concerns by Charles Johnson, 1003 State Street, regarding training requirements and salaries of public safety officers.

Director Olson responded to comments by Whitney Smith, 2904 Neola Street, regarding the number of fires in Cedar Falls and training/testing standards.

Director Olson responded to questions by Tracie Sulentic, 1008 Rocklyn Street, regarding staff coverage when there are multiple accidents at the same time.

Finance and Business Operations Director Rodenbeck responded to questions by Jeremy Sulentic, 1008 Rocklyn Street, and Councilmember Green relative to archived City Council meeting videos.

College Hill Partnership Executive Director Kathryn Sogard commented on recent landscaping, seating and improvements at Pettersen Plaza and Seerley Park.

Director Olson responded to comments by Sharon Regenold, 108 Lilliput Lane,

regarding social media, public forum and equipment availability.

The Mayor and Director Olson responded to comments by Sarah Langel, 1312 Windsor Drive, regarding the use of the Compressed Air Foam (CAF) system.

The City Council adjourned to Executive Session at 8:42 P.M.

Mayor Brown reconvened the City Council meeting at 8:57 P.M. and stated that Legal Matters had been discussed but that no further action was required at this time.

52539 - It was moved by Kruse and seconded by Darrah that the meeting be adjourned at 8:58 P.M. Motion carried unanimously.

Jacqueline Danielsen, MMC, City Clerk