

**CITY HALL
CEDAR FALLS, IOWA, JULY 15, 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, Blanford, Darrah, Wieland, Green. Absent: Kruse.

- 52406 - It was moved by Darrah and seconded by deBuhr that the minutes of the Regular Meeting of July 1, 2019 be approved as presented and ordered of record. Motion carried unanimously.

Coach Kenton Swartley and four members of the Cedar Falls High School "Swartdogs" Robotics Team spoke about accomplishments and recent awards received.

Public Safety Services Director Olson provided an introduction and Mayor Brown proceeded with the Administration of Oath to new Public Safety Officer Lucas Schmidt.

- 52407 - Mayor Brown announced that in accordance with the public notice of July 8, 2019, this was the time and place for a public hearing on the proposed plans, specifications, form of contract & estimate of cost for the 2019 Bridge Maintenance Project. 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.

- 52408 - 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. Public Works Director Schrage provided brief comments about the proposed plans, etc. 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.

- 52409 - It was moved by Blanford and seconded by Wieland that Resolution #21,611, approving and adopting the plans, specifications, form of contract & estimate of cost for the 2019 Bridge Maintenance 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, Blanford, Darrah, Wieland, Green. Nay: None. Motion carried. The Mayor then declared Resolution #21,611 duly passed and adopted.

- 52410 - It was moved by Darrah and seconded by Miller that Ordinance #2947, amending Section 26-118 of the Code of Ordinances by removing property located at 2600 Grove Street from the R-3, Multiple Residence District, and placing the same in the C-2, Commercial 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, Blanford, Darrah, Wieland, Green. Nay: None. Motion carried. The Mayor then declared Ordinance #2947 duly passed and adopted.

52411 - It was moved by Wieland and seconded by Darrah that Ordinance #2949, amending certain sections of the Code of Ordinances relative to establishing regulations for events on public property, 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, Blanford, Darrah, Wieland, Green. Nay: None. Motion carried.

52412 - It was moved by Miller and seconded by Darrah that the following items and recommendations on the Consent Calendar be received, filed and approved:

Receive and file the resignation of Deb Giarusso as a member of the Planning & Zoning Commission.

Approve the following special event related requests:

- a) Street closures, Live to 9, July 19 & 26, 2019 (August 2 & 9, 2019 if inclement weather).
- b) Street closure, Hiawatha Road, August 3, 2019.
- d) Street closures, ARTapalooza, September 7, 2019.

Approve the following applications for beer permits and liquor licenses:

- a) Cypress Lounge, 209 A State Street, Class C liquor & outdoor service - renewal.
- b) Hy-Vee Market Grille, 6301 University Avenue, Class C liquor - renewal.
- c) Walgreens, 2509 Whitetail Drive, Class E liquor - change in ownership.
- d) Cedar Basin Jazz Festival & Live to 9, 200 Block of State Street and 100 Block of East 2nd Street, Special Class C liquor & outdoor service - permanent transfer.
- e) Dollar General, 1922 Valley Park Drive, Class C Beer & Class B Wine - new.

Motion carried unanimously.

52413 - It was moved by Wieland and seconded by deBuhr to approve the request for a street closure on Bluebell Road, August 6, 2019. Following a comment by Penny Popp, 4805 South Main Street, the motion carried unanimously.

52414 - It was moved by Miller and seconded by deBuhr that the following resolutions be introduced and adopted:

Resolution #21,612, approving and authorizing execution of a Memorandum of Understanding with the Teamsters Union, Local No. 238 relative to earning compensatory time.

Resolution #21,613, approving and authorizing execution of an Extension of an Agreement for Custodial Services with Fresh Start Cleaning, f/k/a T & C Cleaning, Inc., relative to custodial services for city buildings for a period of September 1, 2019 through August 31, 2020, and adding custodial services for the new Public Safety Facility.

Resolution #21,614, approving and authorizing the expenditure of funds for the purchase of a dump truck.

Resolution #21,615, approving and authorizing execution of a Memorandum of Agreement with the Municipal Electric Utility of the City of Cedar Falls (CFU) relative to use of a dump truck.

Resolution #21,616, approving three Claims for Non-Residential Relocation Assistance Reimbursement, in conjunction with the West 1st Street Reconstruction Project.

Resolution #21,617, receiving and filing the bids, and approving and accepting the low bid of K. Cunningham Construction Company, Inc., in the amount of \$135,515.36, for the South Main Street Parking Lot Project.

Resolution #21,618, approving and authorizing execution of a Contract for Completion of Improvements with James V. Sands relative to the final plat of Sands Addition.

Resolution #21,619, approving the opening of the Housing Choice Voucher (HCV) Program (a/k/a Section 8) Waiting List August 6, 2019 through January 31, 2020, as recommended by the Housing Commission.

Resolution #21,620, approving a Central Business District Overlay Zoning District site plan for façade improvements at 100 East 2nd Street, Suite 103.

Resolution #21,621, approving the preliminary plat of Chrisbro Subdivision.

Resolution #21,622, approving the final plat of Sands Addition.

Resolution #21,623, approving and authorizing execution of a HOME Investment Partnership Program Consortium Cooperation Agreement with the City of Waterloo for FY2020-2022.

Resolution #21,624, approving and authorizing execution of a Professional Service Agreement with Iowa Northland Regional Council of Governments (INRCOG) relative to the Community Development Block Grant (CDBG) and HOME Programs.

Resolution #21,625, receiving and filing, and setting August 5, 2019 as the date of public hearing on, the proposed plans, specifications, form of contract & estimate of cost for the 2019 Sidewalk Assessment Project, Zone 2.

Resolution #21,626, setting August 5, 2019 as the date of public hearing on the proposed vacation of a 15-foot wide pedestrian trail access easement within Tract E Western Home Communities Seventh Addition, Lot 1 Western Home Communities Eighth Addition, Parcel G Western Home Communities Lot 17 Minor Plat and Lot 2 Western Home Communities Fourth Addition.

Resolution #21,627, setting August 5, 2019 as the date of public hearing on a

proposed ordinance granting a partial property tax exemption to ACOH, LLC for construction of an industrial use manufacturing and office facility at 6601 Development Drive.

Resolution #21,628, setting August 5, 2019 as the date of public hearing on a proposed ordinance granting a partial property tax exemption to Buckeye Corrugated, Inc. for construction of an industrial use warehouse and production facility at 2900 Capital Way.

Resolution #21,629, setting August 5, 2019 as the date of public hearing on a proposed ordinance granting a partial property tax exemption to FN Investors, LLC for construction of an industrial use lab and office facility at 3019 Venture Way.

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, Blanford, Darrah, Wieland, Green. Nay: None. Motion carried. The Mayor then declared Resolutions #21,612 through #21,629 duly passed and adopted.

- 52415 - It was moved by deBuhr and seconded by Blanford that Resolution #21,630, approving the recommendation of the City Administrator by appointing the Director of Public Works for the City of Cedar Falls, be adopted. City Administrator Gaines responded to questions by Councilmembers Green and Blanford.

It was then moved by Green that the motion be amended to reflect the effective date of July 15, 2019. The motion to amend failed due to lack of a second.

Following comments by Councilmembers deBuhr and Green, and Jim Skaine, 2215 Clay Street, the Mayor then put the question on the original motion and upon call of the roll, the following named Councilmembers voted. Aye: Miller, deBuhr, Blanford, Darrah, Wieland. Nay: Green. Motion carried. The Mayor then declared Resolution #21,630 duly passed and adopted.

- 52416 - It was moved by Darrah and seconded by Miller that Resolution #21,631, approving the Cherrywood Acres Minor Plat, be adopted. Following a comment and question by Councilmember Wieland, the following individuals spoke in opposition to the Minor Plat:
John Runchey, 920 Columbine Drive
Susie Sigwarth, 1028 Cherrywood Drive
Mark Sigwarth, 1028 Cherrywood Drive
Chad Schoneman, 4307 Cherrywood Drive

The following individuals spoke in support of the Minor Plat:
Del Carpenter, 1005 Cherrywood Drive
Tony Runyan, 4114 High Street
Lea Runyan, 4114 High Street

Following questions by Councilmembers deBuhr, Wieland and Green, and responses by Planner III Sturch 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, Blanford, Darrah. Nay: Wieland, Green. Motion carried. The Mayor then declared Resolution #21,631 duly passed and adopted.

- 52417 - It was moved by Miller and seconded by Darrah that Resolution #21,632, approving the preliminary plat of The Terraces at West Glen, be adopted. Following concerns expressed by Cathy Showalter, 3109 Pendleton Drive, Carmen Mason, 3108 Waterbury Drive, and Susie Sigwarth, 1028 Cherrywood Drive, and response by Fehr Graham Civil Engineer Jon Biederman regarding water issues, the Mayor put the question on the motion and upon call of the roll, the following named Councilmembers voted. Aye: Miller, deBuhr, Blanford, Darrah, Wieland, Green. Nay: None. Motion carried. The Mayor then declared Resolution #21,632 duly passed and adopted.
- 52418 - It was moved by Darrah and seconded by Miller that Resolution #21,633, approving and authorizing execution of Supplemental Agreement No. 1A with Snyder & Associates, Inc. for 2019 Engineering Services relative to the Parkade Brick Replacement Project, be adopted. Following comments by Councilmember Darrah 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, Blanford, Darrah, Wieland, Green. Nay: None. Motion carried. The Mayor then declared Resolution #21,633 duly passed and adopted.
- 52419 - It was moved by deBuhr and seconded by Green that the bills and payroll of July 15, 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, Blanford, Darrah, Wieland, Green. Nay: None. Motion carried.
- 52420 - It was moved by Wieland and seconded by Green to refer to the Committee of the Whole review of parking trailers on residential streets. Following comments and questions by Councilmembers Blanford and Green, the motion to refer carried 4-2, with Miller and deBuhr voting nay.
- 52421 - Public Works Director Ripplinger provided an update on crosswalk improvements being completed in the Aldrich Elementary School neighborhood.
- Public Safety Services Director Olson announced that Police and Fire operations have been relocated to the new Public Safety Facility at 4600 South Main Street, and that firefighters will continue to respond from the 18th/Main Street station.
- Public Works Director Ripplinger announced the Cedar Valley designation as a "Great Place" and that Cedar Falls will be working with the City of Waterloo to determine common improvement projects for this grant money.
- 52422 - Penny Popp, 4805 South Main Street, announced their first neighborhood night out in conjunction with the city-wide 'National Night Out' event on August 6th.

Public Safety Services Director Olson responded to comments by Whitney Smith, 2904 Neola Street, regarding assignment of firefighter duties.

Following comments on tax breaks for commercial properties and impacts on city services by Jim Skaine, 2215 Clay Street, Councilmember Wieland raised point of order.

Mary Jane McCollum, 807 West 2nd Street, expressed concerns about increased traffic on West 2nd Street. Public Works Director Schrage provided an update on traffic calming efforts already implemented and others that could be explored.

52423 - It was moved by Green and seconded by Miller that the meeting be adjourned at 8:36 P.M. Motion carried unanimously.

Jacqueline Danielsen, MMC, City Clerk