

**CITY HALL  
CEDAR FALLS, IOWA, JANUARY 7, 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, Wieland, Green. Absent: None.

- 52143 - It was moved by Kruse and seconded by Miller that the minutes of the Regular Meeting of December 17, 2018 be approved as presented and ordered of record. Motion carried unanimously.

Public Safety Services Director Olson provided introductions and Mayor Brown proceeded with the Administration of Oath to new Public Safety Officers Kaleb Bruggeman, Eric Van Horn, Marissa Abbott, Kyle Manternach, Tyler Lenox, Hannah Hoffa, Tyler Putney and Thomas Baltes.

- 52144 - Mayor Brown announced that in accordance with the public notice of December 18, 2018, this was the time and place for a public hearing on the proposed amendments to the City's FY19 Budget. It was then moved by Green and seconded by Blanford that the proof of publication of notice of hearing be received and placed on file. Motion carried unanimously.
- 52145 - The Mayor then asked if there were any written communications filed to the proposed budget amendments. Upon being advised that there were no written communications on file, the Mayor then called for oral comments. Controller/City Treasurer Roeding provided a brief explanation. There being no one else present wishing to speak either for or against the proposed budget amendments, the Mayor declared the hearing closed and passed to the next order of business.
- 52146 - It was moved by Blanford and seconded by Kruse that Resolution #21,384, approving and adopting amendments to the City's FY19 Budget, 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 #21,384 duly passed and adopted.
- 52147 - Mayor Brown announced that in accordance with the public notice of December 27, 2018, this was the time and place for a public hearing on the proposed ordinance rezoning from A-1, Agricultural District, to R-1, Residence District, of property located to the north of Arbors Drive and west of Richard 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.
- 52148 - The Mayor then asked if there were any written communications filed to the proposed ordinance rezoning from A-1, Agricultural District, to R-1, Residence

District, of property located to the north of Arbors Drive and west of Richard Road. Upon being advised that there were no written communications on file, the Mayor then called for oral comments. Planner II Lehmann provided a brief explanation. There being no one else present wishing to speak either for or against the proposed rezoning, the Mayor declared the hearing closed and passed to the next order of business.

52149 - It was moved by Darrah and seconded by Kruse that Ordinance #2935, amending Section 29-107 of the Code of Ordinances by removing property located to the north of Arbors Drive and west of Richard Road from A-1, Agricultural District, and placing the same in R-1, Residence District, 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, Wieland, Green. Nay: None. Motion carried.

52150 - It was moved by Miller and seconded by Green 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 Brooke Croshier-Sidebotham to the Visitors & Tourism Board, term ending 07/01/2019.

Receive and file the Committee of the Whole minutes of December 17, 2018 relative to the following items:

- a) Recognition of Art & Culture Board member Joni Krejchi.
- b) Greenhill Road Traffic Study update.
- c) Middle Cedar Watershed Plan update.
- d) Bills & Payroll.

Receive and file Departmental Monthly Reports of November 2018.

Approve the following applications for beer permits and liquor licenses:

- a) Second State Brewing Company, 203 State Street, Class B beer & outdoor service - renewal.
- b) Cedar Falls Family Restaurant, 2627 Center Street, Special Class C liquor - renewal.
- c) Panther Lounge, 210 East 18th Street, Class C liquor - renewal.
- d) Wild Hare American Bar and Grill, 2512 Whitetail Drive, Class C liquor & outdoor service - renewal.
- e) Holiday

Motion carried unanimously.

52151 - It was moved by Miller and seconded by Wieland to adopt the Greenhill Road Corridor Traffic Study. Following comments by Councilmember deBuhr, it was then moved by Councilmember Green and seconded by Councilmember deBuhr to amend the motion to receive and file the Study. Following a question by Councilmember Miller and response by Community Development Director Sheetz, City Attorney Rogers raised point of order that the Study had already

been received and filed with the Committee of the Whole report, and the Mayor ruled point well taken. Following questions by Councilmember Green, comments by Councilmembers Darrah, Miller and Kruse, and responses by Community Development Director Sheetz, the original motion carried 5-2 with Councilmembers deBuhr and Green voting nay.

52152 - It was moved by Kruse and seconded by Blanford that the following resolutions be introduced and adopted:

Resolution #21,385, approving the concept of potential improvements to Pettersen Plaza, as recommended by the Parks & Recreation Commission.

Resolution #21,386, approving and authorizing the expenditure of funds for the purchase of lockers, counters, shelves and related equipment from Midwest Storage Solutions, Inc. for the Public Safety Facility.

Resolution #21,387, approving the Certificate of Completion and accepting the work of Benton's Sand & Gravel, Inc. for the 2018 Permeable Alley Project.

Resolution #21,388, approving the Certificate of Completion and accepting the work of Feldman Concrete for the 2018 Public Sidewalk & Pedestrian Trail Improvement Project.

Resolution #21,389, approving the Certificate of Completion and accepting the work of Feldman Concrete for the 2018 Sidewalk Assessment Project, Zone 9.

Resolution #21,390, approving the Final Statement of Expenditures for the 2018 Sidewalk Assessment Project, Zone 9.

Resolution #21,391, approving and authorizing execution of an Owner Purchase Agreement, and approving and accepting an Owner's Temporary Grading Easement for Construction, in conjunction with the West 1st Street Reconstruction Project.

Resolution #21,392, approving and authorizing execution of a Professional Service Agreement with Confluence, Inc. relative to the Gibson Property Master Planning Project.

Resolution #21,393, authorizing advancement of costs for an Urban Renewal project and certification of expenses incurred by the City for payment under Iowa Code Section 403.19 relative to the South Cedar Falls Urban Renewal Area.

Resolution #21,394, setting January 21, 2019 as the date of public hearing on the proposed FY2019-FY2024 Capital Improvements Program (CIP).

Resolution #21,395, receiving and filing, and setting January 21, 2019 as the date of public hearing on, the proposed plans, specifications, form of contract & estimate of cost for the Place to Play Playground Project.

Resolution #21,396, receiving and filing, and setting January 21, 2019 as the date of public hearing on, the proposed plans, specifications, form of contract & estimate of cost for the 2019 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, Blanford, Darrah, Wieland, Green. Nay: None. Motion carried. The Mayor then declared Resolutions #21,385 through #21,396 duly passed and adopted.

52153 - It was moved by Miller and seconded by Darrah that Resolution #21,397, approving and authorizing execution of the renewal of an Advertising Agreement with Lee Enterprises, Incorporated, d/b/a Courier Communications, relative to recruitment advertising, be adopted. Following questions by Councilmember Kruse and response by Finance and Business Operations Director Rodenbeck, 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 #21,397 duly passed and adopted.

52154 - It was moved by Miller and seconded by Wieland that Resolution #21,398, approving and authorizing execution of an Independent Contractor Agreement for Massage Therapy Services with Ashley Kay Parcel, be adopted.

It was then moved by Green and seconded by deBuhr to refer the Agreement to the Committee of the Whole for discussion. Following questions by Councilmembers Miller, Green, Blanford, Kruse, deBuhr and Wieland and responses by Municipal Operations and Programs Director Ripplinger, Mayor Brown, City Attorney Rogers and Finance and Business Operations Director Rodenbeck, the motion to refer failed 3-4 with Councilmembers Miller, Blanford, Darrah and Wieland voting nay.

The Mayor then put the question on the original motion and upon call of the roll, the following named Councilmembers voted. Aye: Miller, Kruse, Blanford, Darrah, Wieland. Nay: deBuhr and Green. Motion carried. The Mayor then declared Resolution #21,398 duly passed and adopted.

52155 - It was moved by Kruse and seconded by Miller that the bills and payroll of January 7, 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.

52156 - Finance and Business Operations Director Rodenbeck provided a brief update on the Library Co-Lab renovation and responded to a question by Councilmember Darrah.

Community Development Director Sheetz announced the recertification of the

City as a 'Bicycle Friendly Community'.

Public Safety Services Director Olson gave a brief update on the recent purchase of a new fire truck and announced meetings scheduled with College Hill businesses to discuss security, crime prevention and safety.

Northern Iowa Student Liaison Jacob Madden addressed the recent shooting on College Hill, expressed appreciation to first responders and extended well wishes to those injured. He also announced that the Northern Iowa Student Government and University of Northern Iowa student body are committed to student involvement in improving safety and security in the college area.

Mayor Brown recognized a Girl Scout from Troop #6164 in attendance at the meeting.

52157 - It was moved by Wieland and seconded by Blanford 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, Wieland, Green. Nay: None. Motion carried.

52158 - Dale Ohl, 3609 Clearview Drive, commented on rumors about fire insurance ratings and current city council and mayor being challenged in the next election.

Public Safety Services Director Olson responded to questions and comments by Councilmembers Miller, Wieland, Kruse and Darrah and Mayor Brown regarding Insurance Service Office (ISO) ratings, response times, fire training and experience, Compressed Air Foam (CAF) systems and 28E Agreements.

Northern Iowa Student Liaison Jacob Madden indicated that the Northern Iowa Student Government and student body remain confident in Cedar Falls Public Safety.

The City Council adjourned to Executive Session at 8:04 P.M.

Mayor Brown reconvened the Council Meeting at 8:44 P.M. and stated that Legal Matters had been discussed but that no further action was required at this time.

52159 - It was moved by Darrah and seconded by Green that the meeting be adjourned at 8:45 P.M. Motion carried unanimously.

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Jacqueline Danielsen, MMC, City Clerk