

**CITY HALL  
CEDAR FALLS, IOWA, NOVEMBER 4, 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.

- 52540 - It was moved by Kruse and seconded by deBuhr that the minutes of the Regular Meeting of October 21, 2019 be approved as presented and ordered of record. Motion carried unanimously.

Public Safety Services Director Olson provided an introduction and Mayor Brown proceeded with the Administration of Oath to new Part-Time Firefighter Krystal Tucker.

- 52541 - Mayor Brown announced that in accordance with the public notice of October 25, 2019, this was the time and place for a public hearing on a proposed lease with the Black Hawk County Conservation Board relative to City-owned property at 1501 East Lake Street. It was then moved by Blanford and seconded by Miller that the proof of publication of notice of hearing be received and placed on file. Motion carried unanimously.

- 52542 - The Mayor then asked if there were any written communications filed to the proposed lease. Upon being advised that there were no written communications on file, the Mayor then called for oral comments. Public Works Director Schrage provided a brief summary of the proposed lease. There being no one else present wishing to speak about the proposed lease, the Mayor declared the hearing closed and passed to the next order of business.

- 52543 - It was moved by Blanford and seconded by Miller that Resolution #21,757, approving and authorizing execution of a lease with the Black Hawk County Conservation Board relative to City-owned property at 1501 East Lake Street, 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 #21,757 duly passed and adopted.

- 52544 - Mayor Brown announced that in accordance with the public notice of October 25, 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 Sanitary Sewer Rehabilitation Project. It was then moved by Wieland and seconded by Darrah that the proof of publication of notice of hearing be received and placed on file. Motion carried unanimously.

- 52545 - 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 project summary of 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.
- 52546 - It was moved by Kruse and seconded by Blanford that Resolution #21,758, approving and adopting the plans, specifications, form of contract & estimate of cost for the 2019 Sanitary Sewer Rehabilitation 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, Kruse, Blanford, Darrah, Wieland, Green. Nay: None. Motion carried. The Mayor then declared Resolution #21,758 duly passed and adopted.
- 52547 - Mayor Brown announced that in accordance with the public notice of October 16, 2019, this was the time and place for a public hearing on the proposed submission of the City's 2018-2019 Consolidated Annual Performance and Evaluation Report (CAPER) for the Community Development Block Grant & HOME Programs. It was then moved by Kruse and seconded by deBuhr that the proof of publication of notice of hearing be received and placed on file. Motion carried unanimously.
- 52548 - The Mayor then asked if there were any written communications filed to the proposed report. Upon being advised that there were no written communications on file, the Mayor then called for oral comments. Community Services Manager Howard commented about the report. There being no one else present wishing to speak about the proposed report, the Mayor declared the hearing closed and passed to the next order of business.
- 52549 - It was moved by Blanford and seconded by Kruse that Resolution #21,759, approving the submission of the City's 2018-2019 Consolidated Annual Performance and Evaluation Report (CAPER) for the Community Development Block Grant & HOME Programs, 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 #21,759 duly passed and adopted.
- 52550 - It was moved by Darrah and seconded by Wieland 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 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, Wieland, Green. Nay: None. Motion carried. The Mayor then declared Ordinance #2957 duly passed and adopted.

52551 - It was moved by Kruse and seconded by Darrah 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 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, Wieland, Green. Nay: None. Motion carried.

52552 - It was moved by Kruse and seconded by Miller 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 21, 2019 relative to the following items:

- a) Parking Update.
- b) Pavement Management.
- c) Bills & Payroll.

Receive and file Departmental Monthly Reports of September 2019.

Approve the following applications for beer permits and liquor licenses:

- a) Casey's General Store, 5908 Nordic Drive, Class C beer & Class B wine - renewal.
- b) Cedar Falls Woman's Club, 304 Clay Street, Special Class C liquor - renewal.

Motion carried unanimously.

52553 - It was moved by Blanford and seconded by deBuhr that the following resolutions be introduced and adopted:

Resolution #21,760, approving and authorizing execution of an FY20 Cooperative Agreement with the Iowa Civil Rights Commission.

Resolution #21,761, levying a final assessment for costs incurred by the City to mow and clear vegetation on the property located at 2208 Coventry Lane.

Resolution #21,762, levying a final assessment for costs incurred by the City to mow and clear vegetation on the property located at 1804 Tremont Street.

Resolution #21,763, approving and authorizing execution of a Services Agreement with Cope Murphy + Co. LLP relative to legislative services.

Resolution #21,764, approving and authorizing execution of a 28E Agreement for Tobacco, Alternative Nicotine and Vapor Product Enforcement with the Iowa Alcoholic Beverages Division.

Resolution #21,765, approving and authorizing execution of Supplemental Agreement No. 12 to the Professional Service Agreement with Snyder & Associates, Inc. for 2019 Engineering Services relative to Slope Stabilization of

Ridgewood and Mandalay Drives.

Resolution #21,766, setting November 18, 2019 as the date of public hearing on a proposed amendment to the Zoning Agreement relative to conditions of the HWY-1 Highway Commercial Zoning District for property located in the southwest corner of Highway 58 and West Ridgeway Avenue.

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 #21,760 through #21,766 duly passed and adopted.

- 52554 - It was moved by Miller and seconded by Green that Resolution #21,767, approving and authorizing designation of a public electric vehicle charging parking space and authorizing the expenditure of funds for the purchase of an Electric Vehicle (EV) charger, be adopted. Following questions by Councilmembers Miller, Wieland, Green, Darrah and Kruse, and responses by Public Works Director Schrage and 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, Blanford, Darrah, Wieland, Green. Nay: None. Motion carried. The Mayor then declared Resolution #21,767 duly passed and adopted.
- 52555 - It was moved by Miller and seconded by Wieland that Resolution #21,768, approving and authorizing execution of an Encroachment Agreement with the North Cedar Neighborhood Association relative to placement of a neighborhood sign within the East Lone Tree Road public right-of-way, be adopted. Following a question by Councilmember Miller and response by 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, Kruse, Blanford, Darrah, Wieland, Green. Nay: None. Motion carried. The Mayor then declared Resolution #21,768 duly passed and adopted.
- 52556 - It was moved by Kruse and seconded by deBuhr that the bills and payroll of November 4, 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.
- 52557 - The Mayor announced the municipal and school elections on November 5, 2019.

City Administrator Gaines commented about the City recently receiving the international 'Year in Infrastructure Award' from Bentley Systems Inc. for the University Avenue Reconstruction Project.

Public Works Director Schrage provided updates on the Highway 58/Viking Road and West 1st Street (Highway 57) Iowa Department of Transportation projects.

Public Safety Services Director Olson commented on recent media coverage regarding the response to a 2018 incident at the University of Northern Iowa, and responded to a question by Councilmember Miller.

- 52558 - James Kerns, 3123 Cottonwood Lane, expressed appreciation for the positive and progressive projects happening in Cedar Falls and urged citizens to make decisions based on data and not emotions.

Councilmembers Darrah and Wieland responded to the previous speaker's comments and announced that City Council will begin goal setting soon.

Sharon Regenold, 108 Lilliput Lane, disagreed with comments by Director Olson regarding the University of Northern Iowa call for service, and Olson responded to a related question by Councilmember Miller.

- 52559 - It was moved by Kruse and seconded by Blanford that the meeting be adjourned at 7:34 P.M. Motion carried unanimously.

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Jacqueline Danielsen, MMC, City Clerk