

**CITY HALL
CEDAR FALLS, IOWA, MARCH 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 (via phone), Blanford, Darrah, Wieland (via phone), Green. Absent: None.

- 52209 - It was moved by Darrah and seconded by Green that the minutes of the Regular Meeting of February 18, 2019 be approved as presented and ordered of record. Motion carried unanimously.
- 52210 - Mayor Brown announced that in accordance with the public notice of February 8, 2019, this was the time and place for a public hearing on the proposal to undertake a public improvement project for the Ridgeway Avenue Reconstruction Project and to authorize acquisition of private property for said project. 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.
- 52211 - The Mayor then asked if there were any written communications filed to the proposed public improvement. Upon being advised that there were no written communications on file, the Mayor then called for oral comments. Principal Engineer Schrage commented briefly. There being no one else present wishing to speak about the proposed public improvement, the Mayor declared the hearing closed and passed to the next order of business.
- 52212 - It was moved by Green and seconded by Miller that Resolution #21,440, approving a public improvement for the Ridgeway Avenue Reconstruction Project and authorizing acquisition of private property for said 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, Green. Nay: None. Absent: Wieland (phone connection lost). Motion carried. The Mayor then declared Resolution #21,440 duly passed and adopted.
- 52213 - It was moved by Miller and seconded by Darrah that Ordinance #2936, amending Chapter 29, Zoning, of the Code of Ordinances relative to the College Hill Neighborhood Overlay Zoning District, be passed upon its second consideration. Following questions and comments by Councilmembers Green, Blanford and Kruse, Eashaan Vajpeyi, 3831 Convair Lane, and Kathryn Sogard, College Hill Partnership Executive Director, and response by City Attorney Rogers, it was moved by Kruse and seconded by deBuhr to amend the ordinance to apply to C3 only. Motion to amend carried 4-3, with Blanford, Darrah and Wieland voting nay.
- 52214 - It was moved by Darrah and seconded by Miller that the following items and recommendations on the Consent Calendar be received, filed and approved:

Approve the following recommendations of the Mayor relative to the appointment of members to Boards and Commissions:

- a) Mark Miller, Board of Adjustment, term ending 03/31/2024.
- b) Gerald Sorensen, Board of Adjustment, term ending 03/31/2024.

Receive and file the Committee of the Whole minutes of February 18, 2019 relative to the following items:

- a) Board of Adjustment Interview - Mark Miller.
- b) Board of Adjustment Interview - Gerald Sorensen.
- c) Downtown Parking Study.
- d) Bills & Payroll.

Receive and file Departmental Monthly Reports of January 2019.

Approve a request for a street closure for the Panther Caravan on May 22, 2019.

Approve and authorize execution of an Order Accepting Acknowledgment/Settlement Agreement with Suds relative to a first tobacco violation at 2223 1/2 College Street.

Approve the following applications for beer permits and liquor licenses:

- a) Pheasant Ridge Golf Course, 3205 West 12th Street, Class B beer & outdoor service - renewal.
- b) Happy's Wine & Spirits, 5925 University Avenue, Class E liquor - renewal.
- c) Hillstreet News & Tobacco, 2217 College Street, Class E liquor - renewal.

Motion carried unanimously.

52215 - It was moved by Darrah and seconded by Green that the following resolutions be introduced and adopted:

Resolution #21,441, approving and authorizing execution of Amendment #2 to the National Insurance Services Trust Joinder Agreement for Long Term Disability Insurance with National Insurance Services Trust.

Resolution #21,442, approving and authorizing execution of a Subscription Renewal Agreement with Emergency Services Marketing Corp., Inc. relative to lamResponding callback software.

Resolution #21,443, approving and authorizing execution of a lease agreement with Black Hawk County Solid Waste Management Commission relative to the use of certain city-owned property located at 1500 Bluff Street by the WasteTrac environmental education team.

Resolution #21,444, approving and authorizing the expenditure of funds for the purchase of a hydro/jet vacuum sewer cleaning apparatus.

Resolution #21,445, approving and authorizing execution of an Owner Purchase

Agreement, and receiving and filing two Reports of Compensation Commissioners and Notices of Appraisal Damages and Time for Appeal, in conjunction with the West 1st Street Reconstruction Project.

Resolution #21,446, approving and authorizing execution of Supplemental Agreement No. 1 to the Professional Service Agreement for Grant Administration and Technical Services for Housing Projects with Iowa Northland Regional Council of Governments (INRCOG) relative to Community Development Block Grant (CDBG) Entitlement Funding.

Resolution #21,447, setting March 18, 2019 as the date of public hearing to consider adoption of the City's Code of Ordinances.

Resolution #21,448, setting March 18, 2019 as the date of public hearing to consider entering into a proposed Amended and Restated Agreement for Private Development with Buckeye Corrugated, Inc.

Resolution #21,449, setting March 18, 2019 as the date of public hearing to consider entering into a proposed Agreement for Private Development with Martin Realty Company II, L.L.C. and payment of certain economic development grants pursuant to said proposed Agreement.

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 #21,441 through #21,449 duly passed and adopted.

- 52216 - It was moved by Blanford and seconded by deBuhr that Resolution #21,450, approving and authorizing the expenditure of funds for the purchase and installation of cameras and lighting in the College Hill area, be adopted. Following a question by Councilmember Blanford and response 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, Blanford, Darrah, Wieland, Green. Nay: None. Motion carried. The Mayor then declared Resolution #21,450 duly passed and adopted.
- 52217 - It was moved by Miller and seconded by deBuhr that Resolution #21,451, approving and accepting a Lien Notice and Special Promissory Note for property located at 821 Olive Street relative to the Rental to Single Family Owner Conversion Incentive Program, be adopted. Following a question by Councilmember Miller and response by Planner II Lehmann, 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 #21,451 duly passed and adopted.
- 52218 - It was moved by Darrah and seconded by Miller that Resolution #21,452, approving the preliminary plat of Greenhill Village Townhomes II, be adopted.

The following individuals spoke in opposition to the preliminary plat:

Chris Noland, 1510 Athens Court
Nalin Goonesekere, 1518 Athens Court
Kristine Tognetti, 1509 Andover Court
Tim Tjarks, 1521 Athens Court
Robin Frost, 4718 Addison Drive

The following individuals expressed concerns with the preliminary plat:

Eashaan Vajpeyi, 3831 Convair Lane
James Dunning, 4622 Hudson Road

The following individuals spoke in support of the preliminary plat:

Steve Troskey, CGA Engineers, representative of the developer
Chris Rausch, Counsel for Panther Builders, 4834 Winghaven Drive

Planner II Lehmann provided background on the proposed plat. Following questions and comments by Councilmembers deBuhr, Miller, Kruse, Blanford, Darrah and Green, and responses by Community Services Manager Howard, CGA Engineers Representative Steve Troskey, Planner II Lehmann and City Attorney Rogers, the Mayor put the question on the motion and upon call of the roll, the following named Councilmembers voted. Aye: Miller, Blanford, Darrah, Wieland, Green. Nay: deBuhr, Kruse. Motion carried. The Mayor then declared Resolution #21,452 duly passed and adopted.

- 52219 - It was moved by Miller and seconded by Darrah that Resolution #21,453, setting March 18, 2019 as the date of public hearing on the proposed rezoning from A-1, Agricultural District, to RP, Planned Residence District, of property located at the southeast corner of West 12th Street and Union Road, and also on an associated amendment to the Schematic Land Use Map by changing the designation from Greenways & Floodplain to Greenways & Floodplain and Planned Development, be adopted. Following a question by Councilmember Miller and response by Mayor Brown, 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 #21,453 duly passed and adopted.
- 52220 - It was moved by deBuhr and seconded by Darrah that the bills and payroll of March 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.
- 52221 - Public Safety Services Director Olson provided information about fire training required for new public safety officers, the status of the Insurance Services Office (ISO) rating, and the response by firefighters and public safety officers to a fire that occurred earlier in the day, and responded to questions by Mayor Brown and Councilmembers Miller and Kruse.

52222 - Penny Popp, 4805 South Main Street, commented about public participation in public meetings. Councilmember Miller responded to personal comments made by Ms. Popp.

Brian Wingert, 2110 Flynn Drive, commented about costs that would be involved in changes to the Greenhill Village Townhomes project and addressed concerns about potential rentals.

52223 - It was moved by Darrah and seconded by Blanford that the meeting be adjourned at 8:52 P.M. Motion carried unanimously.

Jacqueline Danielsen, MMC, City Clerk