

**CITY HALL
CEDAR FALLS, IOWA, NOVEMBER 18, 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.

- 52560 - It was moved by Kruse and seconded by Miller that the minutes of the Regular Meeting of November 4, 2019 be approved as presented and ordered of record. Motion carried unanimously.

- 52561 - City Clerk Danielsen announced that Item 23 on the Resolution Calendar was being removed from Agenda.

- 52562 - Mayor Brown announced that in accordance with the public notice of November 8, 2019, this was the time and place for a public hearing on a proposed amendment to the Zoning Agreement relative to conditions of the HWY-1, Highway Commercial District, for property located in the southwest corner of Highway 58 and West Ridgeway Avenue. It was then moved by Darrah and seconded by Wieland that the proof of publication of notice of hearing be received and placed on file. Motion carried unanimously.

- 52563 - The Mayor then asked if there were any written communications filed to the proposed amendment. Upon being advised that there were no written communications on file, the Mayor then called for oral comments. Planner III Sturch provided a brief summary of the proposed amendment and Jim Skaine, 2215 Clay Street, expressed opposition to requested suspension of the rules to consider at three separate meetings. There being no one else present wishing to speak about the proposed amendment, the Mayor declared the hearing closed and passed to the next order of business.

- 52564 - Following questions by Councilmembers deBuhr and Green, responses by Planner III Sturch and supporting comments by Midland Atlantic Properties representative Nicole Chimento, it was moved by Green and seconded by Wieland that the rules requiring Ordinance #2959, rezoning property located generally on Lot 1 of The Point at Henry Farms, pursuant to provisions of a conditional zoning agreement associated with Ordinance #2933, which placed said property in the HWY-1, Highway Commercial District, to be considered at three separate meetings be suspended. The Mayor put the question on the motion and upon call of the roll, the following named Councilmembers voted. Aye: deBuhr, Kruse, Blanford, Darrah, Wieland, Green. Nay: Miller. Motion carried.

It was then moved by Kruse and seconded by deBuhr that Ordinance #2959, be passed upon its third and final consideration. 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 #2959 duly passed and adopted.

- 52565 - It was moved by deBuhr and seconded by Miller that the following items and recommendations on the Consent Calendar be received, filed and approved:

Receive and file a communication from the Civil Service Commission relative to a certified list for the position of Building/Electrical Inspector.

Receive and file a communication from the Civil Service Commission relative to a certified list for the position of Public Safety Officer.

Receive, file and refer to the Planning & Zoning Commission a communication from College Hill Partnership relative to the renewal of the College Hill Self-Supported Municipal Improvement District (SSMID).

Approve the following applications for beer permits and liquor licenses:

- a) Hansen's Dairy, 123 East 18th Street, Class C beer & Class B native wine - renewal.
- b) Tony's La Pizzeria, 407 Main Street, Class C liquor & outdoor service - renewal.
- c) Urban Pie, 200 State Street, Class C liquor & outdoor service - renewal.
- d) Five Corners Liquor & Wine, 809 East 18th Street, Class E liquor - renewal.

Motion carried unanimously.

- 52566 - It was moved by Darrah and seconded by Wieland to receive and file the Committee of the Whole minutes of November 4, 2019 relative to the following items:

- a) Downtown Visioning Update.
- b) Bills & Payroll.

Following comments by Jim Skaine, 2215 Clay Street, response by Councilmember Miller and a brief recess from 7:16 P.M. to 7:27 P.M., the motion carried unanimously.

- 52567 - It was moved by Green and seconded by Darrah that the following resolutions be introduced and adopted:

Resolution #21,769, authorizing certification of eligible expenses for reimbursement from the College Hill, Downtown, Pinnacle Prairie, South Cedar Falls and Unified Tax Increment Financing Revenues.

Resolution #21,770, approving and authorizing an inter-fund loan from the Tax Increment Financing (TIF) Bond Fund to the Tax Increment Financing (TIF) Fund relative to funding for legal fees, incentive payments, and project costs related to Peter Melendy Park and the Downtown Streetscape in the Downtown Urban Renewal Area.

Resolution #21,771, approving and authorizing an inter-fund loan from the Tax Increment Financing (TIF) Bond Fund to the Tax Increment Financing (TIF) Fund relative to funding for the Prairie Parkway & Viking Road Signalization Project in the Pinnacle Prairie Urban Renewal Area.

Resolution #21,772, approving and authorizing an inter-fund loan from the Tax Increment Financing (TIF) Bond Fund to the Tax Increment Financing (TIF) Fund relative to funding for legal and administrative fees for projects in the South Cedar Falls Urban Renewal Area.

Resolution #21,773, approving and authorizing an inter-fund loan from the Tax Increment Financing (TIF) Bond Fund to the Tax Increment Financing (TIF) Fund relative to funding for Highway 58 Corridor Improvements, Industrial Park Street Patching, and administrative and legal fees in the Unified Urban Renewal Area.

Resolution #21,774, approving and authorizing an inter-fund loan from the Economic Development Fund to the Tax Increment Financing (TIF) Fund relative to funding for the purchase of land in the South Cedar Falls Urban Renewal Area.

Resolution #21,775, approving and authorizing an inter-fund loan from the Economic Development Fund to the Tax Increment Financing (TIF) Fund relative to funding for the purchase of land in the Unified Urban Renewal Area.

Resolution #21,776, approving and authorizing an inter-fund loan from the General Fund to the Tax Increment Financing (TIF) Fund relative to funding for the Downtown Visioning Project in the Downtown Urban Renewal Area.

Resolution #21,777, approving and authorizing an inter-fund loan from the Street Construction Fund to the Tax Increment Financing (TIF) Fund relative to funding for the 100 Block Alley Reconstruction Project and to support the Downtown Urban Renewal projects and planning in the Downtown Urban Renewal Area.

Resolution #21,778, approving and authorizing submission of the City's FY19 Annual Urban Renewal Report.

Resolution #21,779, approving the Certificate of Completion and accepting the work of Blacktop Service Company for the 2018 Seal Coat Project.

Resolution #21,780, approving the Certificate of Completion and accepting the work of K. Cunningham Construction Company, Inc. for the University Avenue Reconstruction Project - Phase I.

Resolution #21,781, receiving and filing the bids, and approving and accepting the low bid of Municipal Pipe Tool Company, LLC, in the amount of \$303,361.45, for the 2019 Sanitary Sewer Rehabilitation Project.

Resolution #21,782, approving and accepting the contract and bond of Municipal

Pipe Tool Company, LLC for the 2019 Sanitary Sewer Rehabilitation Project.

Resolution #21,783, approving and authorizing execution of an Amendment to Professional Service Agreement with Snyder & Associates, Inc. relative to the Cedar Heights Drive Reconstruction Project.

Resolution #21,784, approving and authorizing execution of a Release of Minimum Assessment Agreement and Agreement for Private Development, and approving and accepting a Quit Claim Deed, relative to an Agreement for Private Development with BAJR Enterprises, L.L.C.

Resolution #21,785, approving and authorizing execution of a Termination of Agreement for Private Development, and approving and accepting a Warranty Deed, relative to an Agreement for Private Development with Schuerman Construction, Inc.

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 #21,769 through #21,785 duly passed and adopted.

- 52568 - It was moved by Miller and seconded by Darrah that Resolution #21,786, approving and adopting the Imagine Downtown! - Cedar Falls Downtown Vision Plan, be adopted. Community Main Street Executive Director Carol Lilly expressed appreciation and support for the plan. Following questions by Councilmembers Green and Kruse, comments by Roger White, 2303 Greenwood Avenue and Councilmember Wieland, and responses by Community Services Manager Howard 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, Kruse, Blanford, Darrah, Wieland, Green. Nay: None. Motion carried. The Mayor then declared Resolution #21,786 duly passed and adopted.
- 52569 - It was moved by Darrah and seconded by Miller that Resolution #21,787, setting December 2, 2019 as the date of public hearing on a proposal to undertake a public improvement project for the Cedar Heights Drive Reconstruction Project and to authorize acquisition of private property for said project, be adopted. Following a question by Councilmember Darrah and response by Public Works Director Schrage, 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 #21,787 duly passed and adopted.
- 52570 - It was moved by Kruse and seconded by Blanford that the bills and payroll of November 18, 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.

- 52571 - Northern Iowa Student Government Liaison Rebecca Aberle invited the public to attend upcoming named events on the University of Northern Iowa campus.

Community Development Director Sheetz provided an update on recent Downtown Streetscape improvements.

Public Safety Services Director Olson provided information regarding number of emergency response personnel that responded to two recent fire calls.

- 52572 - It was moved by Kruse and seconded by Wieland to adjourn to Executive Session to discuss Property Acquisition per Iowa Code Section 21.5(1)(j) to discuss the purchase or sale of particular real estate only where premature disclosure could be reasonably expected to increase the price the governmental body would have to pay for that property or reduce the price the governmental body would receive for that property, 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.

- 52573 - Whitney Smith, 2904 Neola Street, spoke about the recent election.

Roger White, 2303 Greenwood Avenue, congratulated the City on awards received for the University Avenue Reconstruction Project and commented on the roundabouts that were included in the project.

Rosemary Beach, 5018 Sage Road, expressed appreciation for removing the bump on Main Street, and Councilmember Blanford and Public Works Director Schrage responded to her requests for an extension of the pedestrian trail beyond Coneflower Parkway and pavement markings at a nearby intersection.

The City Council adjourned to Executive Session at 7:54 P.M.

Mayor Brown reconvened the City Council meeting at 8:11 P.M. and stated that Property Acquisition had been discussed but that no further action was required at this time.

- 52574 - It was moved by Darrah and seconded by Kruse that the meeting be adjourned at 8:12 P.M. Motion carried unanimously.

Jacqueline Danielsen, MMC, City Clerk