

**CITY HALL
CEDAR FALLS, IOWA, JUNE 17, 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.

- 52368 - It was moved by Kruse and seconded by Wieland that the minutes of the Regular Meeting of June 3, 2019 be approved as presented and ordered of record. Motion carried unanimously.

- 52369 - City Clerk Danielsen announced that Item 29 was being removed from the Resolution Calendar.

- 52370 - Mayor Brown announced that in accordance with the public notice of June 7, 2019, this was the time and place for a public hearing on the proposed rezoning from R-3, Multiple Residence District, to C-2, Commercial District, of property located at 2600 Grove Street. It was then moved by Darrah and seconded by Kruse that the proof of publication of notice of hearing be received and placed on file. Motion carried unanimously.

- 52371 - The Mayor then asked if there were any written communications filed to the proposed rezoning. Upon being advised that there were no written communications on file, the Mayor then called for oral comments. Planner II Lehmann provided brief comments on the proposed rezoning. There being no one else present wishing to speak about the proposed rezoning, the Mayor declared the hearing closed and passed to the next order of business.

- 52372 - It was moved by Miller and seconded by Kruse 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 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.

- 52373 - It was moved by Blanford and seconded by Miller that Ordinance #2944, amending Chapter 2, Administration, and Chapter 23, Traffic and Motor Vehicles, of the Code of Ordinances relative to updating terminology, in conjunction with the implementation of recommendations from the Downtown Parking Study, 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 #2944 duly passed and adopted.

52374 - It was moved by Darrah and seconded by Blanford that Ordinance #2945, amending Chapter 23, Traffic and Motor Vehicles, of the Code of Ordinances relative to establishing parking regulations, in conjunction with the implementation of recommendations from the Downtown Parking Study, 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 #2945 duly passed and adopted.

52375 - It was moved by Wieland and seconded by Miller that Ordinance #2946, amending Chapter 23, Traffic and Motor Vehicles, of the Code of Ordinances to be consistent with parking regulations being established, in conjunction with the implementation of recommendations from the Downtown Parking Study, 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.

52376 - It was moved by Kruse and seconded by deBuhr 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) Brian Hayes, Historic Preservation Commission, term ending 03/31/2022.
- b) Michael Mahncke, Historic Preservation Commission, term ending 03/31/2022.
- c) Debra lehl, Utilities Board of Trustees, term ending 08/31/2025.
- d) Brooke Croshier-Sidebotham, Visitors & Tourism Board, term ending 07/01/2022.
- e) Amy Dutton, Visitors & Tourism Board, term ending 07/01/2022.
- f) Doug Johnson, Visitors & Tourism Board, term ending 07/01/2022.

Receive and file the Committee of the Whole minutes of June 3, 2019 relative to the following items:

- a) Utilities Board of Trustees Interview - Debra lehl.
- b) Grow Cedar Valley Update.
- c) Monument Mailboxes.
- d) Bills & Payroll.

Receive and file a communication from the Civil Service Commission relative to a certified list for the position of Equipment Mechanic.

Receive and file two Reports of Compensation Commissioners and Notices of Appraisalment of Damages and Time for Appeal, in conjunction with the West 1st Street Reconstruction Project.

Approve a request for street closures for the Sturgis Falls Half Marathon and 5K Run on June 30, 2019.

Approve the following applications for cigarette/tobacco/nicotine/vapor permits:

- a) B & B West, 3105 Hudson Road.
- b) Buzz Smoke & Vapor, 2125 College Street.
- c) Dollar General Store, 2921 Center Street.
- d) Hill Street News and Tobacco, 2217 College Street.
- e) Prime Mart, 2728 Center Street.
- f) The Smoking Dragon (f/k/a The Dragon's Cave), 2225 College Street.

Approve the following applications for beer permits and liquor licenses:

- a) King Star, 2228 Lincoln Street, Class C beer & Class B native wine - renewal.
- b) Hong Kong Chinese Restaurant, 6306 University Avenue, Special Class C liquor - renewal.
- c) Applebee's Neighborhood Grill & Bar, 6301 University Avenue, Class C liquor - renewal.
- d) Texas Roadhouse, 5715 University Avenue, Class C liquor - renewal.
- e) Holiday Inn Express & Suites, 1614 Technology Parkway, Class C beer - new.
- f) Famous Dave's, 6222 University Avenue, Class C liquor - new.

Motion carried unanimously.

- 52377 - It was moved by Kruse and seconded by Blanford that the following resolutions be introduced and adopted:

Resolution #21,575, approving and authorizing execution of an Engagement Letter with Eide Bailly, LLP to perform the audit of the City's FY19 financial statements and compliance with federal award programs.

Resolution #21,576, approving and authorizing execution of an Agreement for Textile Services with City Laundering Company relative to providing linen services.

Resolution #21,577, approving and authorizing execution of an Administrative Services Agreement with Wellmark Blue Cross and Blue Shield relative to the City's FY20 Employee Health Plan.

Resolution #21,578, approving a Stop Loss Policy with Wellmark, Inc. relative to the City's FY20 Employee Health Plan.

Resolution #21,579, approving and authorizing execution of a Client Agreement with Express Scripts, Inc. relative to pharmacy benefit management services.

Resolution #21,580, approving and authorizing execution of a Client Authorization to Bind Coverage with Arthur J. Gallagher Risk Management Services, Inc. relative to FY20 insurance brokerage and risk management services.

Resolution #21,581, approving and adopting the City's FY20 Fee Schedule.

Resolution #21,582, approving and accepting a Quit Claim Deed, in conjunction with the Ridgeway Avenue Reconstruction Project.

Resolution #21,583, approving and authorizing execution of Supplemental Agreement No. 8 to the Professional Service Agreement with Snyder & Associates, Inc. for 2019 Engineering Services relative to the Greenhill Road Extension Lighting Project.

Resolution #21,584, approving and adopting revised Bylaws for the Historic Preservation Commission.

Resolution #21,585, approving and accepting a Lien Notice and Special Promissory Note for property located at 1600 West 3rd Street relative to the Rental to Single Family Owner Conversion Incentive Program.

Resolution #21,586, approving and accepting a Lien Notice and Special Promissory Note for property located at 620 Tremont Street relative to the Rental to Single Family Owner Conversion Incentive Program.

Resolution #21,587, setting July 1, 2019 as the date of public hearing on a proposal to undertake a public improvement project for the Cyber Lane-2018 Street Construction Project and to authorize acquisition of private property for said project.

Resolution #21,588, receiving and filing, and setting July 1, 2019 as the date of public hearing on, the proposed plans, specifications, form of contract & estimate of cost for the South Main Street Parking Lot Project.

Resolution #21,589, setting July 1, 2019 as the date of public hearing to consider entering into a proposed Agreement for Private Development and to consider conveyance of certain city-owned real estate to Tjaden Properties, L.L.C.

Resolution #21,590, setting July 2, 2019 as the date of consultation and directing mailing of notice of consultation, and setting August 19, 2019 as the date of public hearing, directing publication of notice of hearing, directing the mailing of notice of hearing, and approving pre-annexation agreements for application for voluntary annexation of real estate to the City of Cedar Falls.

Resolution #21,591, appointing City Councilmember Susan deBuhr as a representative of the City of Cedar Falls for a Consultation with representatives of the Black Hawk County Board of Supervisors and the Cedar Falls Township Trustees relative to applications for voluntary annexation of certain real estate to the City of Cedar Falls.

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 #21,575 through #21,591 duly passed and adopted.

52378 - It was moved by deBuhr and seconded by Blanford that Resolution #21,592, approving and adopting the City's FY20 Appropriations Resolution, be adopted. Following a question by Councilmember Green and response by 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 #21,592 duly passed and adopted.

- 52379 - It was moved by Wieland and seconded by Green that Resolution #21,593, naming official depositories for the City of Cedar Falls, be adopted. Following comments by Councilmembers Blanford and Green, the Mayor put the question on the motion and upon call of the roll, the following named Councilmembers voted. Aye: Miller, deBuhr, Kruse, Darrah, Wieland, Green. Nay: None. Abstain: Blanford. Motion carried. The Mayor then declared Resolution #21,593 duly passed and adopted.
- 52380 - It was moved by Darrah and seconded by Miller that Resolution #21,594, approving and authorizing execution of a Memorandum of Agreement with Waterloo Convention & Visitors Bureau, Inc. relative to the preparation of a Visitor Guide, be adopted. Following a comment by Councilmember Green and response by Municipal Operations and Programs Director Ripplinger, 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. Nay: Green. Motion carried. The Mayor then declared Resolution #21,594 duly passed and adopted.
- 52381 - It was moved by deBuhr and seconded by Blanford that Ordinance #2948, amending Chapter 23, Traffic and Motor Vehicles, of the Code of Ordinances relative to prohibiting parking on portions of Panther Lane, be passed upon its first consideration. Following supportive comments by Carol Shelton, 3528 Panther Lane, 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.
- 52382 - It was moved by deBuhr and seconded by Blanford that the bills and payroll of June 17, 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.
- 52383 - Municipal Operations and Programs Director Ripplinger provided an update on items removed from City cemeteries.

Public Safety Services Director Olson announced the Public Safety facility Open House on June 24th from 4-7 P.M.

City Administrator Gaines announced the recent Insurance Service Organization (ISO) rating of Class 3, placing Cedar Falls in the top 3.5% of fire departments in Iowa, and congratulated public safety staff, City Council and Mayor on their work and commitment to achieve this rating.

At the request of Councilmember Green, Municipal Operations and Programs

Director Ripplinger provided an update regarding added staff at the compost facility to prevent illegal dumping.

- 52384 - Mayor Brown responded to comments and questions by Pastor Dave Kivett, 1115 Oak Park Boulevard, regarding steps the City is taking to address disparity and inequality in the community.

Rosemary Beach, 5018 Sage Road, announced the College Hill Arts Festival June 21-22 and Sturgis Falls Celebration June 26-30.

Penny Popp, 4805 South Main Street, spoke about volunteering and expressed appreciation to all volunteers and Mayor Brown for volunteering to read to children at Story Time.

City Attorney Rogers and Councilmember Wieland responded to comments by Jim Skaine, 2215 Clay Street, regarding his belief that Ordinance #2824 and the 2014 reorganization of City operations to be null and void, and requested that the term "germane" be removed from Council proceedings.

- 52385 - It was moved by Darrah and seconded by Green that the meeting be adjourned at 7:44 P.M. Motion carried unanimously.

Jacqueline Danielsen, MMC, City Clerk