

**CITY HALL  
CEDAR FALLS, IOWA, DECEMBER 3, 2018  
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.

- 52108 - It was moved by Kruse and seconded by deBuhr that the minutes of the Regular Meeting of November 19, 2018 be approved as presented and ordered of record. Motion carried unanimously.

Mayor Brown read a proclamation declaring December 14, 2018 as the 38th Annual Cedar Valley Teddy Bear Roundup Day, and Gerald Himes commented.

- 52109 - It was moved by Kruse and seconded by Darrah that the following items and recommendations on the Consent Calendar be received, filed and approved:

Receive and file the report of the Mayor relative to the appointment of the Mayor Pro Tem and Chair of the Administration Committee for 2019.

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

- a) Susan deBuhr, Board of Appeals, Boards of Electrical, Mechanical & Plumbing Appeals, terms ending 12/31/2019.
- b) Rick Dumler, Board of Electrical Appeals, term ending 12/31/2022.
- c) Steve Broell, Board of Mechanical Appeals, term ending 12/31/2022.
- d) Todd Gebhardt, Board of Plumbing Appeals, term ending 12/31/2022.
- e) Helen Pearce, Housing Commission, term ending 12/31/2020.
- f) Lindsay Pieters, Housing Commission, term ending 12/31/2020.
- g) Don Timmerman, Housing Commission, term ending 12/31/2020.
- h) Kyle Larson, Planning & Zoning Commission, term ending 11/01/2023.

Receive and file the Committee of the Whole minutes of November 19, 2018 relative to the following items:

- a) Planning & Zoning Commission Interview - Kyle Larson.
- b) Greater Cedar Valley Alliance Update.
- c) FY2018 Audit Report.
- d) Bills & Payroll.

Receive and file the City Council Work Session minutes of November 19, 2018.

Receive and file Departmental Monthly Reports of October 2018.

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

Approve the following applications for liquor licenses:

- a) Cedar Falls Woman's Club, 304 Clay Street, Special Class C liquor - renewal.
- b) Rancho Chico, 618 Brandilynn Boulevard #104, Class C Liquor - renewal.
- c) Sharky's Fun House, 2223 College Street, Class C liquor & outdoor service renewal.
- d) The Brown Bottle, 1111 Center Street, Class C liquor & outdoor service - renewal.
- e) Urban Pie, 200 State Street, Class C liquor & outdoor service - renewal. 1
- f) Bani's, 2128 College Street, Class E liquor - renewal.
- g) Barmuda Distribution, 6027 University Avenue, Class E liquor - renewal.

Motion carried unanimously.

52110 - It was moved by Wieland and seconded by Blanford that the following resolutions be introduced and adopted:

Resolution #21,351, approving and accepting a Warranty Deed and Flood Mitigation Deed Restriction, in Conjunction with the Northern Cedar Falls Flood Buyout Program.

Resolution #21,352, approving and authorizing execution of eleven leases relative to property vacated by the 2008 flood buyout programs.

Resolution #21,353, approving and authorizing execution of an agreement with Waterloo-Cedar Falls Umpires Association relative to the provisions of umpiring services for the 2019-2021 seasons.

Resolution #21,354, approving and authorizing execution of an Agreement for the Use of the State or Local Overtime and Authorized Expense/Strategic Initiative Program for Organized Crime Drug Enforcement Task Forces (OCDETF) for FY2019.

Resolution #21,355, approving and authorizing execution of five Owner Purchase Agreements and three Tenant Purchase Agreements, and approving and accepting two Public Utility Easements and four Owner's Temporary Grading Easements, in conjunction with the West 1st Street Reconstruction Project.

Resolution #21,356, approving the Certificate of Completion and accepting the work of Vieth Construction Corporation for the 2017 Permeable Alley Project.

Resolution #21,357, approving and authorizing Change Order No. 3 to the contract with Iowa Bridge & Culvert, LC for the 2017 Levee/Floodwall System Improvements Project.

Resolution #21,358, approving and authorizing execution of an Easement Agreement with Hi Yield, LLC and DBD Investments, LLC for installation and maintenance of a private sanitary sewer connection for 924 Viking Road.

Resolution #21,359, approving and authorizing execution of a Storm Water Maintenance and Repair Agreement with Six Kids, LLC relative to a post-construction stormwater management plan for 1402 Technology Parkway.

Resolution #21,360, approving and authorizing execution of a Storm Water Maintenance and Repair Agreement and Permanent Easement Agreement with ACOH, LLC relative to a post-construction stormwater management plan for 6601 Development Drive.

Resolution #21,361, approving a Central Business District Overlay Zoning District site plan for façade improvements at 209 State Street.

Resolution #21,362, approving and authorizing execution of a Proposal for Asbestos Removal and Proposed Form of Contract with Advanced Environmental Testing and Abatement, in conjunction with the Northern Cedar Falls Flood Buyout Program.

Resolution #21,363, approving a PC-2, Planned Commercial Zoning District site plan for construction of a retail/professional office building at 936 Viking Road.

Resolution #21,364, approving and authorizing execution of a HWY-1 Highway Commercial Zoning District Development Agreement with VEREIT Real Estate, L.P., Mills Properties, LLC, and Midland Atlantic Development Company, LLC relative to a commercial development 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 #21,351 through #21,364 duly passed and adopted.

- 52111 - It was moved by Kruse and seconded by Darrah that Resolution #21,365, approving and authorizing execution of a Professional Service Agreement with Clapsaddle-Garber Associates, Inc. for the Lakeshore Storm Sewer Analysis, be adopted. Following questions by Councilmember Kruse and responses by City Engineer Resler 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 #21,365 duly passed and adopted.
- 52112 - It was moved by Miller and seconded by Darrah that Resolution #21,366, approving and authorizing execution of a Change of Work Order No. 3 to the contract with Peterson Contractors, Inc. relative to the 2018 Street Construction Project, be adopted. Following a question by Councilmember deBuhr and response by City Engineer Resler, 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 #21,366 duly passed and adopted.

52113 - It was moved by Darrah and seconded by Miller that Resolution #21,367, approving and authorizing execution of a Professional Service Agreement with Snyder & Associates, Inc. relative to engineering services, be adopted. Following questions by Councilmember deBuhr and responses 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 #21,367 duly passed and adopted.

52114 - It was moved by Kruse and seconded by Blanford that the bills and payroll 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.

52115 - It was moved by Green and seconded by Kruse to refer a request for preparation of a proposal and timeline for creation of a Five Year Public Safety Strategic Plan to be adopted no later than December 2, 2019. Following a comment by Mayor Brown and comments by Councilmembers Blanford, deBuhr, Wieland, Miller, Darrah and Green, the motion failed 1-6, with Miller, deBuhr, Kruse, Blanford, Darrah and Wieland voting nay.

52116 - Public Safety Services Director Olson commented that the department will be evaluating medical calls received in more depth during the annual review of the calls for service at the end of the year.

Mayor Brown announced grants received from the Black Hawk County Gaming Association; \$750,000 for the public safety building, \$50,000 for the pickleball complex, \$50,000 for the Co-Lab Library space, and \$30,000 for sanitary sewer projects. Additionally, \$250,000 was awarded to the Place to Play Park.

52117 - It was moved by Green and seconded by Kruse 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.

52118 - Jenny Van Dorn, 4124 Thresher Court, #304, expressed concerns about Civil Service certification and testing of Public Safety Officers.

Public Safety Director Olson responded to Councilmember Blanford's inquiry about the testing requirements for Public Safety Officers.

Richard Hinz, 1219 Western Avenue, commented and inquired about reopening the fire station in northern Cedar Falls.

Tamie Stahl, 1009 Lakeshore Drive, commented on repairing damage caused by water drainage. City Administrator Gaines responded to questions by Councilmember Kruse regarding the water drainage and coordination of potential options for solutions.

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

Mayor Brown reconvened the Council Meeting at 8:19 P.M. and stated that Property Acquisition had been discussed but that no further action was required at this time.

52119 - It was moved by Miller and seconded by Green that the meeting be adjourned at 8:20 P.M. Motion carried unanimously.

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Jacqueline Danielsen, MMC, City Clerk