

Community Relations and Planning Committee Meeting
Monday, November 24, 2008

In attendance: Susan deBuhr, Axe Haugen, Dave Wieland, John Runchey, Tom Hagarty, Frank Darrah, Kamyar Enshayan, Jon Crews, David Scanlan, Bruce Sorensen, Jeff Olson, Richard McAlister, Desi Duggan, Ron Gaines and Ward Stubbs, media representatives and numerous members of the Northern Cedar Falls Visioning Committee.

Chairman Runchey called the meeting to order at 6:12 pm. by recognizing Administrative Services Director Richard McAlister to explain the City staff recommended 2008 Flood Recovery Implementation Strategies. Mr. McAlister noted that the revision provided to City Council members with their packets added completion dates for various projects. He advised the City Council that in many cases the dates were purely estimates that would be subject to change.

Chairman Runchey asked for a single motion for all items as recommended by the City Staff followed by requests from City Council members to remove select items for individual discussion.

It was then moved by Wieland and seconded by Haugen to adopt the 23 recommendations noted below:

1. Direct Code Enforcement personnel to monitor areas in North Center to ensure that property owners are making reasonable progress with rebuilding efforts while seeking ordinance compliance for those properties left abandoned or where owners have not attempted to clean up flood damage.
2. If approved by the City Council in the FY09-FY14 CIP, authorize the Department of Developmental Services to request RFPs from consultants to design a Center Street Streetscape for City Council contract approval.
3. Direct Developmental Services Department staff to identify during the winter of 2008/2009 where problem low-lying areas exist. Upon identification, submit the mapped locations to the Riverfront Plan consultant for consideration in their plan development.
4. Once buy-outs have progressed to the stage where it is clear how many and the locations of properties that will be purchased with Federal and State funds, direct the Developmental Services and Human & Leisure Services Department staff to request RFPs from qualified consultants to prepare a Riverfront Plan, with the contract then approved by the City Council.
5. Direct Developmental Services and Administrative Services Department staffs to begin making the appropriate land acquisitions, TIF ordinance creation and infrastructure design work to form a Northern Cedar Falls Industrial Park, utilizing EDA & RISE grants along with local TIF financing.
6. Request that the Developmental Services staff and Planning and Zoning Commission begin the analysis of areas that should have Land Use Plan amendments and then be considered for residential and commercial pre-zoning.
7. Refer to the Developmental Services & Administrative Services Departments the creation of a linear Urban Revitalization district along Center Street for City Council consideration.
8. Request that City staff monitor the availability of Federal and State grants to extend water, sewer and streets into unserved areas of northern Cedar Falls or areas where new subdivisions can be created by the private sector. If grants become

available submit to the City Council grant applications for consideration, if the use of grants make a project cost effective.

9. Send a formal communication to the Cedar Falls Community School Board from the City Council noting the importance of a neighborhood school to Northern Cedar Falls area and offer City assistance where appropriate to make the neighborhood school more viable.
10. Request on Monday, November 17 that the Cedar Falls State Legislative Delegation seek funding for a study of US 218 structures to determine if corrective actions can be made to reduce the impact of the roadway.
11. Upon adoption of new flood plain regulations by the City Council ask that the City Attorney and Planning staff provide training sessions to the Board of Adjustment to ensure that the intent and purpose of the flood plain zoning ordinance is clearly understood.
12. Proceed with plans to evaluate the options for rebuilding the Beach House.
13. Direct Developmental Services Department staff to develop for Planning and Zoning Commission consideration new flood plain management ordinances that continue to prohibit new development within the floodway but allows existing development to be repaired or replaced when confined to an existing footprint, subject to DNR and Board of Adjustment approvals.
14. Direct Developmental Services Department staff to develop for Planning and Zoning Commission consideration new flood plain management ordinances that allow development within the 100-year flood plain, subject to elevation with an increased free board and with the requirement that if fill is required, the material must be removed from the 100-year flood plain area.
15. Request on Monday, November 17 that the Cedar Falls State Legislative Delegation, 1) seek funding for Cedar Falls flood recovery initiatives (buy-outs, infrastructure repairs, levee repairs, moderate priced housing development and water/sewer extensions into unserved areas) and 2) develop a Cedar River watershed plan that funds improvements and implements regulatory controls that reduce impacts of flooding within the drainage basin.
16. Direct Developmental Services staff to develop Land Use Map and Zoning Map modifications upon completion of the Riverfront Plan for Planning and Zoning Commission consideration that restricts "new" development within the 100-year flood plain, by encouraging alternate open space uses.
17. Formally request via a letter from the City Council to the CFU Board of Trustees that CFU resurvey homeowners in Northern Cedar Falls who do not have public water service to determine if 50% or more are willing to pay a 10-year assessment to have water services extended to their property. If 50% of the residents are willing to contribute, ask that CFU extend their previous offer to provide water into the area by cash flowing the project.
18. Request that the Department of Developmental Services, as a part of the CFU water survey, also survey residents in the area to determine if at least 50% are willing to pay a 10-year assessment for local sewer collection lines, laterals and service lines including interior plumbing work to disconnect septic tanks and redirect flows to front lot lines where the public sewer will be located. If 50% or more of the property owners

are willing to contribute, evaluate whether adequate sewer revenue bonding capacity is available.

19. Send a letter from the City Council to the Black Hawk County Board of Supervisors and IDOT formally asking that they consider modifications to select roads to improve accessibility during floods.
20. Request that City staff amend the City's Emergency Operations Plan to provide for mandatory evacuations under select conditions.
21. Request that City staff amend the City's Emergency Operations Plan to provide a Police, Fire and EMS presence when portions of Northern Cedar Falls are cut off from access.
22. Request that City staff amend the City's Emergency Operations Plan to provide updated maps and charts with quantities pre-printed and available for distribution to the general public, if flooding is imminent.
23. Direct Administrative Services Department staff to utilize the appropriate technology to make e-mail and text messaging available for residents who desire to be contacted in that manner.

City Council member Enshayan then asked that items 3, 4, 5, 8, 13, 14, 15, 16, 17 and 18 be pulled for separate discussion. Chairman Runchey granted the request.

City Councilwomen deBuhr asked if the Center Street Streetscape project was in the CIP. Mr. McAlister indicated that the project was not in the current CIP but it is proposed by City staff to be included in the draft that will be considered by the P&Z and City Council in December and January. Chairman Runchey called for a vote on all of the remaining topics and the motion carried unanimously.

Chairman Runchey then entertained comments on extracted items.

City Council member Enshayan indicated that items 3, 4 and 5 could be discussed at one time. He expressed concerns regarding the types of recovery programs being made available to residential property owners and the efforts to assist them in moving out of flood prone areas.

It was then moved by Wieland and seconded by deBuhr to approve item 3 (Direct Developmental Services Department staff to identify during the winter of 2008/2009 where problem low-lying areas exist. Upon identification submit the mapped locations to the Riverfront Plan consultant for consideration in their plan development.).

Runchey then called for a vote and the motion was approved unanimously.

It was then moved by Wieland and seconded by Darrah to approve items 4 and 5 (Item 4: Once buy-outs have progressed to the stage where it is clear how many and the locations of properties that will be purchased with Federal and State funds; direct the Developmental Services and Human & Leisure Services Department staff to request RFPs from qualified consultants to prepare a Riverfront Plan with the contract then approved by the City Council. Item 5: Direct Developmental Services and Administrative Services Department staffs to begin making the appropriate land acquisitions, TIF ordinance creation and infrastructure design work to form a Northern Cedar Falls Industrial Park, utilizing EDA & RISE grants along with local TIF financing.)

Following a lengthy discussion about the availability of TIF funding and EDA grants for industrial areas in northern Cedar Falls (which are not available for residential properties), Runchey called for a vote and the motion carried with 6 ayes and 1 nay (Enshayan).

It was then moved by Enshayan and seconded by Darrah to approve item 8 (Request that City staff monitor the availability of Federal and State grants to extend water, sewer and streets into unserved areas of northern Cedar Falls or areas where new subdivisions can be created by the private sector. If grants become available, submit to the City Council grant applications for consideration, if the use of grants make a project cost effective.).

Enshayan posed questions why residents can have new subdivisions with public water and sewer services provided to them now; like the City is attempting to do for industrial property owners. Comments were made by various individuals regarding TIFs, available grants for residential infrastructure, the impact on property taxes if residential subdivisions were subsidized by Cedar Falls taxpayers and City policies related to the duty of individual property owners to pay their own water and sewer extension costs (including the number of unserved subdivisions outside of flood prone areas).

Chairman Runchey then asked for a vote and the motion carried unanimously.

It was then moved by Hagarty and seconded by Wieland items 13, 14, 15 and 16 (Item 13: Direct Developmental Services Department staff to develop for Planning and Zoning Commission consideration new flood plain management ordinances that continue to prohibit new development within the floodway but allows existing development to be repaired or replaced when confined to an existing footprint, subject to DNR and Board of Adjustment approvals. Item 14: Direct Developmental Services Department staff to develop for Planning and Zoning Commission consideration new flood plain management ordinances that allow development within the 100-year flood plain subject to elevation with an increased free board and with the requirement that if fill is required, the material must be removed from the 100-year flood plain area. Item 15: Request on Monday, November 17 that the Cedar Falls State Legislative Delegation, 1) seek funding for Cedar Falls flood recovery initiatives (buy-outs, infrastructure repairs, levee repairs, moderate priced housing development and water/sewer extensions into unserved areas) and 2) develop a Cedar River watershed plan that funds improvements and implements regulatory controls that reduce impacts of flooding within the drainage basin. Item 16: Direct Developmental Services staff to develop Land Use Map and Zoning Map modifications upon completion of the Riverfront Plan for Planning and Zoning Commission consideration that restricts "new" development within the 100-year flood plain, by encouraging alternate open space uses.).

Following the expression of various concerns by City Council member Enshayan regarding floodplain management policies, Chairman Runchey called for a vote on the motion. The motion carried unanimously.

It was then moved by Hagarty and seconded by Haugen to approve items 17 and 18 (Item 17: Formally request via a letter from the City Council to the CFU Board of Trustees that CFU resurvey homeowners in Northern Cedar Falls who do not have public water service to determine if 50% or more are willing to pay a 10-year assessment to have water services extended to their property. If 50% of the residents are willing to contribute, ask that CFU extend their previous offer to provide water into the area by cash flowing the project. Item 18: Request that the Department of Developmental Services, as a part of the CFU water survey, also survey residents in the area to determine if at least 50% are willing to pay a 10-year assessment for local sewer collection lines, laterals and service lines including interior plumbing work to disconnect septic tanks and redirect flows to front lot lines where the public sewer will be located. If 50% or more of the property owners are willing to contribute, evaluate whether adequate sewer revenue bonding capacity is available.)

City Council member Enshayan verbalized his concerns that adequate public sewer and water services to unserved properties should be a priority. Mayor Crews indicated that he had been working diligently to raise private funds and obtain grants to reduce the expense of water and sewer assessments against private benefited properties, if extensions of public water and sewer

were made. Mayor Crews expressed concerns that a change in policy that resulted in the City or Utilities paying for water and sewer lines at "general" taxpayer or ratepayer expense would not be equitable because all other property owners within the community have had to pay for their own services.

Chairman Runchey then called for a vote on items 17 and 18. The motion carried with 6 aye votes and 1 nay vote (Enshayan).

There being no further business, the meeting was adjourned at 6:53 pm.