



AGENDA
CITY OF CEDAR FALLS, IOWA
CITY COUNCIL MEETING
MONDAY, JUNE 05, 2023
7:00 PM AT CITY HALL, 220 CLAY STREET

Call to Order by the Mayor

Roll Call

Pledge of Allegiance

Approval of Minutes

1. Regular meeting of May 15, 2023.

Agenda Revisions

Special Presentations

Public Forum. (Speakers will have one opportunity to speak for up to 5 minutes on topics relevant to City business.)

Staff Updates

Special Order of Business

2. Public hearing to consider entering into an Agreement for Private Development, and to consider conveyance of certain city-owned real estate to Technology Pkwy Properties, LLC.
 - a) Receive and file proof of publication of notice of hearing. (Notice published 05/19/2023)
 - b) Written communications filed with the City Clerk.
 - c) Staff comments.
 - d) Public comments.
 - e) Resolution approving and authorizing execution of an Agreement for Private Development; and approving and authorizing execution of a Deed Without Warranty, conveying certain city-owned real estate to Technology Pkwy Properties, LLC.
3. Public hearing on the proposed plans, specifications, form of contract & estimate of cost for the 2023 Sidewalk Assessment Project - Zone 1.
 - a) Receive and file proof of publication of notice of hearing. (Notice published 05/19/2023)
 - b) Written communications filed with the City Clerk.
 - c) Staff comments.
 - d) Public comments.
 - e) Resolution approving and adopting the plans, specifications, form of contract & estimate of cost for the 2023 Sidewalk Assessment Project - Zone 1.

Old Business

4. Pass Ordinance #3030, vacating certain public right-of-way along Hudson Road, upon its second consideration.

Consent Calendar: (The following items will be acted upon by voice vote on a single motion without separate discussion, unless someone from the Council or public requests that a specific item be considered separately.)

5. Receive and file the City Council Standing Committee minutes of May 15, 2023 relative to the following items:
 - a) Presentation on potential Emeritus Program for former city elected officials.
 - b) Request for no parking on portion of Bluebell Road.
6. Receive and file the Mayor's communication relative to an Agreement Between the Sister Cities, the City of Ferizaj (Republic of Kosovo) and the City of Cedar Falls.
7. Receive and file the following resignation of members from Boards and Commissions:
 - a) Kendra Wohlert, Art & Culture Board.
8. Approve the following recommendations of the Mayor relative to the appointment of members to Boards and Commissions:
 - a) Donna Mallin, Human Rights Commission, term ending 07/01/2026.
 - b) Julie Kliegl, Human Rights Commission, term ending 07/01/2026.
 - c) Alan Stalnaker, Parks & Recreation Commission, term ending 06/30/2026.
 - d) Erik Blanchard, Parks & Recreation Commission, term ending 06/30/2026.
9. Receive and file communications from the Civil Service Commission relative to the following certified lists:
 - a) Maintenance Worker.
 - b) Water Reclamation Supervisor.
10. Receive and file Departmental Monthly Reports of April 2023.
11. Approve a request by Cedar Falls Utilities for a temporary variance from Section 15-83 of the Code of Ordinances, Prohibited noises generally, to allow painting of water tower to occur on Sundays.
12. Receive and file Dismissal of a third tobacco violation for Cedar Sky, Inc., d/b/a Bani's, 2128 College Street.
13. Approve the following applications for cigarette/tobacco/nicotine/vapor permits:
 - a) B&B West, 3105 Hudson Road.
 - b) Bani's, 2128 College Street.
 - c) Cypress Lounge, 209 State Street, Suite A.
 - d) Dollar General #14412, 2921 Center Street.
 - e) Dollar General #21239, 1922 Valley Park Drive.
 - f) Posh Smoke and Vape, 6322 University Avenue, Suite L.
 - g) Suds, 2223 1/2 College Street.
 - h) The Landmark, 107 Main Street.
 - i) Thunder Ridge Ampride, 2425 Whitetail Drive.
 - j) Up in Smoke, 2218 College Street.
 - k) Walgreens #10557, 2509 Whitetail Drive.
14. Approve the following applications for retail alcohol licenses:
 - a) NewAldaya Lifescapes, 7511 University Avenue, Class F retail alcohol & outdoor service - renewal.
 - b) Harry's Five and Dime, 123 Main Street, Class C retail alcohol - renewal.
 - c) Los Cabos Mexican Restaurant, 112-114 Main Street, Class C retail alcohol & outdoor service - renewal.
 - d) Montage, 222-224 Main Street, Class C retail alcohol & outdoor service – renewal.
 - e) The Other Place, 209 Main Street, Class C retail alcohol - renewal.
 - f) Casey's General Store, 5226 University Avenue, Class E retail alcohol - renewal.

- g) Prime Mart, 2323 Main Street, Class E retail alcohol - renewal.
- h) The Other Place, 209 Main Street, Class C retail alcohol – change in ownership.
- i) Casey's General Store, 5226 University Avenue, Class E retail alcohol – change in ownership.
- j) River Place Plaza, 200 East 2nd Street – Plaza, Special Class C retail alcohol & outdoor service – temporary expansion of outdoor service area. (August 26, 2023)
- k) Whiskey Road Tavern & Grill, 402 Main Street, Class C retail alcohol & outdoor service – sidewalk cafe.
- l) Wilbo, 118 Main Street, Class C retail alcohol & outdoor service – sidewalk cafe.

Resolution Calendar: (The following items will be acted upon by roll call vote on a single motion without separate discussion, unless someone from the Council or public requests that a specific item be considered separately.)

- 15. Resolution Calendar with items considered separately.
- 16. Resolution approving the recommendation and appointment of Fire Chief.
- 17. Resolution approving and authorizing execution of a Banking Services Agreement with Farmers State Bank.
- 18. Resolution levying a final assessment for costs incurred by the City to remove snow and ice from the sidewalks abutting the property located at 603 Fireside Drive.
- 19. Resolution levying a final assessment for costs incurred by the City to remove snow and ice from the sidewalks abutting the property located at 1322 Franklin Street.
- 20. Resolution approving and authorizing execution of an Easement Agreement, in conjunction with a sidewalk café at 118 Main Street.
- 21. Resolution approving and authorizing execution of a Service Order Form with USCC Services, LLC (UScellular) relative to cellular service for city-owned tablets.
- 22. Resolution approving and authorizing execution of an Infrastructure Development Agreement and Intercreditor Agreement, and approving and accepting a Real Estate Mortgage from Panther Farms, LLC relative to construction of street connections in the vicinity of Aldrich Elementary School.
- 23. Resolution approving and authorizing expenditure of funds for the purchase of foam densifying recycling equipment for the Refuse Section.
- 24. Resolution approving and authorizing expenditure of funds for the purchase of a mini excavator for the Street Section.
- 25. Resolution approving and authorizing execution of an Agreement Regarding Light Pole Relocation at 4923 Hudson Road, in conjunction with the Ashworth Drive Extension Project.
- 26. Resolution approving and accepting the contract and bond of Dave Schmitt Construction Co. Inc. for the North Cedar Heights Area Reconstruction Project – Phase 1A.
- 27. Resolution approving and accepting three Warranty Deeds, in conjunction with the North Cedar Heights Area Reconstruction Project.
- 28. Resolution approving and authorizing execution of a Professional Service Agreement with Strand Associates, Inc. relative to development of the 2023 Stormwater Master Plan.
- 29. Resolution approving and authorizing execution of a Professional Service Agreement with Snyder & Associates, Inc. for design services relative to the Prairie Parkway and Viking Road Intersection Improvements Project.
- 30. Resolution approving and authorizing execution of a Storm Water Maintenance and Repair Agreement with KL Iowa 01, LLC, relative to a post-construction stormwater management plan for 6313 Production Drive.

31. Resolution receiving and filing the bids, and approving and accepting the bid of Blacktop Service Co., in the amount of \$191,607.50, being the only bid received for the 2023 Seal Coat Project.
32. Resolution receiving and filing the bids, and approving and accepting the bid of Vieth Construction Corp., in the amount of \$255,451.50, being the lowest bid received for the 2023 Alley Reconstruction Project.
33. Resolution approving and authorizing execution of an Agreement in Support of the Cedar Falls Historical Society for FY2024 Tourism Activities & Economic Development Services Funding.
34. Resolution approving and authorizing execution of an Agreement with Peters Construction Corporation to repair a damaged wall at Pheasant Ridge Golf Course Pro Shop.
35. Resolution approving and authorizing execution of a Land Maintenance Agreement with Thomas Greiner relative to maintaining undeveloped land recently acquired by the City.
36. Resolution approving a Cedar Falls Utilities Communications Utility Installation or Relocation Project in the Cedar Falls Unified Highway 58 Corridor Urban Renewal Area.
37. Resolution approving a Cedar Falls Utilities Electric Utility Installation or Relocation Project in the Cedar Falls Unified Highway 58 Corridor Urban Renewal Area.
38. Resolution approving a Cedar Falls Utilities Gas Utility Installation or Relocation Project in the Cedar Falls Unified Highway 58 Corridor Urban Renewal Area.
39. Resolution approving and authorizing execution of a Forgivable Loan Agreement relative to a Community Development Block Grant (CDBG) Rental Rehabilitation Project at 1009 West 3rd Street.
40. Resolution approving and authorizing execution of a Repair Contract with Daniels Home Improvement relative to a Community Development Block Grant (CDBG) Rental Rehabilitation Project at 1009 West 3rd Street.
41. Resolution setting June 19, 2023 as the date of public hearing on the proposed rezoning from C-1, Commercial District to PC-2, Planned Commercial District of property located at 702 LeClair Street; and also on an associated amendment to the Land Use Map by changing the designation from Low Density Residential to Neighborhood Commercial and Mixed Use.
42. Resolution setting June 19, 2023 as the date of public hearing on proposed amendments to Chapter 26, Zoning, relative to allowance of vinyl siding on certain residential structures in the Neighborhood Frontages within the CD-DT, Downtown Character District.

Allow Bills and Claims

43. Allow Bills and Claims for June 5, 2023.

Council Updates and Announcements

Council Referrals

Adjournment